

**OFFICIAL REPORT OF PROCEEDINGS****Thursday, 16 July 1987****The Council met at half-past Two o'clock****PRESENT**HIS EXCELLENCY THE GOVERNOR (*PRESIDENT*)

SIR DAVID CLIVE WILSON, K.C.M.G.

THE HONOURABLE THE CHIEF SECRETARY

MR. DAVID ROBERT FORD, L.V.O., O.B.E., J.P.

THE HONOURABLE THE FINANCIAL SECRETARY (*Acting*)

MR. JOHN FRANCIS YAXLEY, J.P.

THE HONOURABLE THE ATTORNEY GENERAL

MR. MICHAEL DAVID THOMAS, C.M.G., Q.C.

THE HONOURABLE LYDIA DUNN, C.B.E., J.P.

THE HONOURABLE CHEN SHOU-LUM, C.B.E., J.P.

THE HONOURABLE PETER C. WONG, C.B.E., J.P.

DR. THE HONOURABLE HO KAM-FAI, O.B.E., J.P.

THE HONOURABLE ALLEN LEE PENG-FEI, O.B.E., J.P.

THE HONOURABLE WONG PO-YAN, C.B.E., J.P.

THE HONOURABLE CHAN KAM-CHUEN, O.B.E., J.P.

THE HONOURABLE STEPHEN CHEONG KAM-CHUEN, O.B.E., J.P.

THE HONOURABLE CHEUNG YAN-LUNG, O.B.E., J.P.

THE HONOURABLE MRS. SELINA CHOW LIANG SHUK-YEE, O.B.E., J.P.

THE HONOURABLE MARIA TAM WAI-CHU, O.B.E., J.P.

DR. THE HONOURABLE HENRIETTA IP MAN-HING, O.B.E., J.P.

THE HONOURABLE CHAN YING-LUN, J.P.

THE HONOURABLE MRS. RITA FAN HSU LAI-TAI, J.P.

THE HONOURABLE MRS. PAULINE NG CHOW MAY-LIN, J.P.

THE HONOURABLE PETER POON WING-CHEUNG, M.B.E., J.P.

THE HONOURABLE YEUNG PO-KWAN, C.P.M., J.P.

THE HONOURABLE KIM CHAM YAU-SUM, J.P.

THE HONOURABLE JOHN WALTER CHAMBERS, O.B.E., J.P.

SECRETARY FOR HEALTH AND WELFARE

THE HONOURABLE JACKIE CHAN CHAI-KEUNG

THE HONOURABLE CHENG HON-KWAN, J.P.

THE HONOURABLE HILTON CHEONG-LEEN, C.B.E., J.P.

DR. THE HONOURABLE CHIU HIN-KWONG, J.P.

THE HONOURABLE CHUNG PUI-LAM

THE HONOURABLE THOMAS CLYDESDALE, J.P.

THE HONOURABLE HO SAI-CHU, M.B.E., J.P.  
THE HONOURABLE HUI YIN-FAT  
THE HONOURABLE RICHARD LAI SUNG-LUNG  
DR. THE HONOURABLE CONRAD LAM KUI-SHING  
THE HONOURABLE MARTIN LEE CHU-MING, Q.C., J.P.  
THE HONOURABLE DESMOND LEE YU-TAI  
THE HONOURABLE DAVID LI KWOK-PO, J.P.  
THE HONOURABLE LIU LIT-FOR, J.P.  
THE HONOURABLE NGAI SHIU-KIT, O.B.E., J.P.  
THE HONOURABLE PANG CHUN-HOI, M.B.E.  
THE HONOURABLE POON CHI-FAI  
PROF. THE HONOURABLE POON CHUNG-KWONG  
THE HONOURABLE HELMUT SOHMEN  
THE HONOURABLE SZETO WAH  
THE HONOURABLE TAI CHIN-WAH  
THE HONOURABLE MRS. ROSANNA TAM WONG YICK-MING  
THE HONOURABLE TAM YIU-CHUNG  
DR. THE HONOURABLE DANIEL TSE, O.B.E., J.P.  
THE HONOURABLE ANDREW WONG WANG-FAT  
THE HONOURABLE LAU WONG-FAT, M.B.E., J.P.  
THE HONOURABLE GRAHAM BARNES, J.P.  
SECRETARY FOR LANDS AND WORKS  
THE HONOURABLE DAVID GREGORY JEAFFRESON, C.B.E., J.P.  
SECRETARY FOR SECURITY  
THE HONOURABLE MICHELANGELO PAGLIARI, J.P.  
SECRETARY FOR EDUCATION AND MANPOWER (*Acting*)  
THE HONOURABLE CHAU TAK-HAY, J.P.  
SECRETARY FOR DISTRICT ADMINISTRATION (*Acting*)  
THE HONOURABLE YEUNG KAI-YIN, J.P.  
SECRETARY FOR TRADE AND INDUSTRY (*Acting*)  
THE HONOURABLE PETER ERIC JOHNSON, J.P.  
SECRETARY FOR TRANSPORT (*Acting*)

**ABSENT**

THE HONOURABLE HU FA-KUANG, O.B.E., J.P.  
THE HONOURABLE JOHN JOSEPH SWAINE, C.B.E., Q.C., J.P.

**IN ATTENDANCE**

THE CLERK TO THE LEGISLATIVE COUNCIL  
MR. LAW KAM-SANG

**Government business****Motion****GREEN PAPER: THE 1987 REVIEW OF DEVELOPMENT IN REPRESENTATIVE GOVERNMENT****Resumption of debate (15 July 1987)**

DR. CHIU: Sir, I rise to express that I am strongly against any abrupt change, not merely in our political structure but in social and economic system as well. The reason is that any drastic or major change in these areas during the transitional period will be disruptive to the prosperity and stability of Hong Kong. Under these circumstances prudent and gradual change as suggested by Your Excellency before is what I prefer.

Now, let us come down to a fundamental question. What sort of change should be described as drastic and abrupt? Should having a reasonable percentage of the Legislative Council seats produced by direct election be interpreted as drastic? No, Sir, it is just a natural and logical development heading towards a more open, a more accountable and more representative government.

When the Sino-British Joint Declaration was signed, the people of Hong Kong welcomed it with a joyful heart. The promises such as 'the current social and economic systems of Hong Kong will remain unchanged for 50 years after 1997, and so is the life-style', 'one country two systems' and 'Hong Kong people administering Hong Kong', are too good to be true. People show much confidence as reflected in the amount of investments in the commercial and industrial sector and particularly in the Hang Sang Index. However, incidences which have taken place one after another have made a lot of the population, especially the well off, the middle class and the intellectuals, adopt a wait-and-see attitude towards the political development in Hong Kong. Though it may be exaggerating to conclude that we are in a confidence crisis today, it is however fair to say that our confidence is extremely fragile because it is primarily based on the trust of the Hong Kong people in the sincerity of the British and Chinese Governments. When people lose confidence in Hong Kong, this territory will be finished.

Having a reasonable percentage of Legislative Council Members elected through direct election, and thus a more accountable legislature is regarded by some as a good guarantee that our existing political system will be carried over to 1997 and beyond. At the same time, direct election is considered to be an effective way to ensure a democratic, open and responsible government.

Therefore, it is inevitable that some people attempt to make use of the future election to test how much the authorities concerned respect and value Hong

Kong people's view. Deep down in their heart they tend to believe that the introduction of direct election to the legislature will help consolidate the 'one country two systems' concept which has been promised to us.

Since the release of the Green Paper, people, especially the silent majority, have been encouraged to air their views on the form of government in the next 10 years. I believe that the wishes of Hong Kong people shall be respected genuinely.

Sir, if and when an absolute majority of the Hong Kong people speak in a loud and clear voice asking for direct election, I cannot see why our political system should not be developed along that direction. If people's opinions are not truly reflected, the Hong Kong Government owes us an explanation.

Sir, may I draw your attention to my policy debate speech delivered on the 6 November 1986 in this Chamber in which I clearly made known my views on the necessity of introducing a reasonable percentage of direct election element in the 1988 legislature? As what I have said in this speech was harsarded, I do not intend to elaborate on it here. But I would like to take this opportunity to reiterate that my position remains unchanged.

During this period, when the public consultation exercise on the Green Paper is being undertaken, I am more than willing to listen to other people's opinion.

Before closing, I must clearly state that the views of the Medical Functional Constituency on the Green Paper are being collected and will be reflected at a later date.

With these remarks, Sir, I support the Motion.

MR. ALLEN LEE: Sir, I am proud of Hong Kong and its achievements and I take great pride in being a citizen of Hong Kong. In 1978 I was appointed as a Member of this Council and was given the privilege to serve the people of Hong Kong to the best of my ability. During these past years Hong Kong has witnessed unprecedented events in our history. The following are such examples: the highly sensitive period of the Sino-British negotiations leading to the Sino-British Joint Declaration over the future of Hong Kong, the collapse and revival of the property and stock markets and the constant fluctuation of the confidence barometer. We have also witnessed the establishment of district boards and the Regional Council which has provided the opportunity for more people to become involved in the affairs of Hong Kong. Changes have also taken place in the formation of this Council where the elected element was introduced for the first time in 1985. Sir, it is fair for me to say that Hong Kong has stood the test of time.

Now, we are facing another milestone—the 1987 review. Since the 1984 White Paper on representative government we have before us the Sino-British Joint Declaration and the drafting of the Basic Law which is in progress. It is a

reality that our future is tied to China. It is understandable that the Chinese authorities will wish to see the minimum of change in 1988 before the Basic Law is finalised. We, as Members of this Council, must take into account the expectations and aspirations of the people of Hong Kong. It is against this background that I participate in this debate to speak without fear and favour. Sir, there is a wide range of subjects covered in the Green Paper, all of which are equally important. However, this afternoon I have chosen to speak on the subject of direct elections to the legislature. This is not meant to imply that I do not find the other subjects important, but to express my opinion on every subject would be too time-consuming.

Sir, when I spoke in this Council on 9 January 1985 I made it known that in principle I was in favour and in support of the introduction of direct election to the legislature in 1988. It has always been my belief that as the community develops the people will ask for more participation. This is still my belief. Direct election is not something new to Hong Kong. We have had direct elections to the Urban Council for many years and after the district boards and Regional Council were established we made significant progress in direct elections. The only new factor is the drafting of the Basic Law which is in progress and which will prescribe the shape of the government structure after 1997. I totally agree that we must not introduce changes which may not converge with the legislature of the SAR after 1997. But I have studied with care and interest the presentations made by many groups and individuals who are being consulted by the Basic Law Drafting Committee. I understand that the majority of members of the Basic Law Consultative Committee are in favour of direct elections. The most conservative of these groups, which is known widely as the group of 73 of the Basic Law Consultative Committee, are in support of the introduction of direct election to the legislature, which they would like to see happen in 1992. They have proposed an 80-member legislature with 20 members being directly elected and 40 members from functional constituencies and 20 members from a grand electoral college. They also proposed the abolition of the current electoral college. I am attracted by their model, but I query whether accommodating such a tremendous change of the legislature starting in 1992 would be in the best interests of Hong Kong. I personally prefer a gradual step by step approach towards constitutional development. So, my idea is a variation from theirs. Instead of introducing a large number of directly elected members in 1992 why not start by introducing first in 1988 a smaller number? This could be done by replacing the electoral college. We shall then have a chance to learn from experience before plunging into a much larger legislature in 1992. I favour a step by step approach, a small step at a time. Sir, my support for direct election is to allow the Hong Kong people some participation. It is not change for the sake of change. I am against change for the sake of change. But in the Hong Kong political system changes in the future are inevitable as stipulated in the Joint Declaration. I totally reject those who argue that direct election is a means by which to seal Hong Kong from Chinese interference in the future. China will be our sovereign state after 30 June 1997. We must co-operate with China and

foster a trusting relationship. This does not mean that we should not put our views forward and argue our case. But I suggest this should be done in a spirit of mutual trust, mutual understanding and mutual respect.

Sir, I have visited a number of districts and have participated in several open forums during the past few months. I have listened with intense interest to the views of the public. I am particularly struck by the outspokenness of the ordinary housewives and their genuine concern for Hong Kong. I have heard views in agreement with mine and those who disagree with me. I believe that in these two days' debate we will hear many different views expressed, as we are dealing with the complexity of the Green Paper. No one knows for certain the outcome of this review. As a matter of conscience, I must express my personal opinion in public, but as a Member of this Council I am duty-bound to respect and accept the majority view which may, or may not, be different from mine.

Sir, this is the last meeting of the current session. I would like to say a few words based on my experience over the last two years. I agree with my friend, the hon. CHAN Ying-lun. Although our meetings may be getting longer, our discussions on issues may be more lengthy and our views may differ from each other. Today's Council, in my opinion, is a better Council than ever before. This legislature is unique in its formation; even though we are from different backgrounds we have learnt to work with each other for the betterment of Hong Kong. We may have different opinions on issues, but it is a healthy development that provides checks and balances. In my view we have a better government today with its officials being more alert in carrying out their duties. As Hong Kong continues to develop I feel there is still an element missing in this Council. It is the element of true representativeness of the people of Hong Kong, and I hope to see this happen in the near future.

With these remarks, Sir, I support the motion.

MR. CHUNG (in Cantonese): Sir, if we are to debate the Green Paper on the 1987 Review of Development in Representative Government, we must take the stand of the people of Hong Kong and be practical and realistic if we want to have good results.

The Green Paper adopts an objective and open approach for consulting the public. This ties in with the democratic spirit of representative government. But on the options given in the Green Paper the Government does not give any clear suggestions. This seems to reflect the complexity, acuteness and subtlety of the problems of political reform.

Among the many key points reviewed, the most controversial one is whether we should have direct elections to the Legislative Council in 1988. On this question we found that in Hong Kong, for the moment, we have those in favour of it on the one side and the opposition on the other. And it was also said that in the Joint Liaison Group Chinese officials held different views on direct elections for 1988.

Sir, a true gentleman maintains a harmonious relationship even with those whose views he does not share. I repect those who oppose direct elections in 1988 but after considering actual results in the development of representative government, the prevailing and realistic situations and the views put forward by various parties, I feel that after 1987 other than having seats reserved for the functional constituencies and an electoral college we should also have some directly-elected seats. I suggest that, starting from 1988, one eighth of the seats in the Legislative Council should be filled through direct election. The main reasons are:

First, we must be gradual in political reforms. You, Sir, made similar remarks in your inauguration speech and the Chinese officials agreed to it. Hong Kong is prospering and gradual developments in representative government is suitable for Hong Kong during the transitional period. Since the Legislative Council has taken the first steady step of indirect election, it should appropriately take the next step in the direction of direct election. However, after directly electing one eighth of the Legislative Councillor, whether we should have additional directly-elected Councillors subsequently should depend on the prevailing situation, and also on the needs in the light of actual development.

Secondly, through direct election, we will have some Councillors whose background and whose occupations may differ from those coming from functional constituencies and the electoral college, but we have the same aims and purposes. Therefore, it will not lead to a divided Council or social conflict. District boards, the two municipal councils and the functional constituencies of the Legislative Council have practised direct election before. This will enhance properly representativeness of the boards and councils.

Thirdly, the Green Paper states clearly that this review will be conducted within the framework of Hong Kong's existing constitutional arrangements and will also take fully into account the terms of the Joint Declaration. Therefore, if we have one eighth of the Legislative Councillors directly elected in 1988 on geographical basis, then the proportion of directly elected councillors will not have conflicts with our constitutional framework or will not violate the spirit of the Joint Declaration.

Fourthly, representative government and the Basic Law have the same basis. This is public opinion in Hong Kong, Sino-British friendship, and mutual benefit and co-operation. Even if we are to have some directly-elected Councillors we are only getting ready for the high degree of autonomy promised for Hong Kong. We need not worry that there will be the problem of non-convergence between the Basic Law and constitutional reforms.

Fifthly, the silent majority has not yet taken a definite stand on direct election. But in Sham Shui Po, which I represent and which has a population of 450 000, I have recently completed a survey. I consulted district board members in Sham Shui Po, area committee members, mutual aid committee members, members of owners' corporations and schools. I have received some 90 returns.

Now, on the points of direct election to the Legislative Council for 1988 45 per cent are in favour of it, 34 per cent are not in favour of it, while the rest do not indicate any preference. Though I have not received a large number of returns, the concrete response that I got has high value for reference regarding the silent majority.

I agree to the criteria listed in the Green Paper for adding to the number of functional constituencies to include some of the occupational groups that are not yet included so as to enhance the representativeness of the Legislative Council, and to strike a better balance among various walks of life.

Should we reduce the number of appointed Members? Well we shall have to look at the whole picture. If we have more functional constituency seats and some directly-elected Members as well, the proportion of appointed Members will drop automatically. As to the other categories of Legislative Council Members, there should be no change or as little change as possible.

The three-tier system of government in Hong Kong should be maintained. You, Sir, should continue to be the President of the Legislative Council. The gradual development of a representative government is the appropriate approach for Hong Kong whereby 'we can maintain stability through changes and make progress' in a stable environment. In the returns submitted to me almost each and every one of the respondents agreed to this and I hold the same view.

The Green Paper also mentions whether the terms of office for the Legislative Council and the other tiers of boards and councillors should be increased from three years to four years and whether there should be staggering of the terms of office of Members. Well, I think this is a good option which is worth our support.

If we have four years as the term of office then it will give rational and steady support to continuous development of the system of Hong Kong before 1997, and if we have staggered terms of office we can have a greater degree of flexibility, whether we have direct elections in 1988 or sometime afterwards.

Now, many points are mentioned in the Green Paper. We must not confine our debate only to direct election to the Legislative Council. We must not ignore district boards which form the basis of public opinion. As to the position of the two municipal councils, we should recognise their middle position in the three-tier system.

We should maintain the ratio of two elected members to one appointed member for district boards and also strengthen the grass-roots organisations which reflect local opinions to enable the district boards to discharge more fully their advisory function. Furthermore, for 1988 the number of Urban Council seats should be increased through district board elections so that we have better linkage between the three tiers. That being done, then, on a firmer basis, the Legislative Council can move steadily in the direction of direct election.



Regarding voting age, well, from the returns that I got 69 per cent of the respondents said that the age should be maintained at 21. I feel that Hong Kong is still in the initial stage of democracy. From the standpoint that the development of representative government should be steady, maybe enhancing civic education is better than considering lowering the voting age. This is a point worth considering.

Sir, I understand and support the caution and open mindedness that goes into the drafting of the Green Paper. The Green Paper wants to consult public opinion as widely as possible hoping that the Green Paper will finally turn into a constructive White Paper with specific proposals. If there are needs we can review the options thereafter, and also undergo friendly negotiations with China, so that the development of our representative government will result in a practical and satisfactory policy. These are my remarks, Sir.

MR. CLYDESDALE: Sir, I have had some difficulty in deciding how to comment on the Green Paper at this particular time.

The constituency I represent is presently engaged in a detailed survey to obtain as many individual responses as possible within the next few weeks. It would not be right for me, therefore, to anticipate the results of this survey, nor, indeed, to influence those constituents who have not yet responded by stating my own firm views or even by providing opinion on what I believe to be the business view on some of the more important aspects of the development of representative government.

I can, however, make some general remarks on the basis of work done over the past two years within my constituency. This has included detailed committee consideration and written observations by many individuals. Some of these observations are quite recent.

I think we all recognise the very great problem involved in obtaining a reasonable spread of opinion on the Green Paper from the general public and not just from groups which may represent relatively few people. The question of representative government is highly complicated and requires sophisticated information, consultation and planning. None of the issues are simple, yet the general public must be given the means to state its views in the simplest way possible. That has meant a Green Paper which is in effect a questionnaire reduced to the simplest terms and choices possible. In turn, this has encouraged organisations to follow the same pattern in order to elicit the greatest number of responses. This being so, I hope that the Survey Office and later the Government will keep the point in mind when deciding what weight to place on numbers, as opposed to source.

Most businessmen certainly favour a step by step approach towards further changing an established successful administrative system of government within which politics have not been allowed to dominate or frustrate progress. Many believe that the essential features of the executive-led system of government,

which has guided our economic and social development with outstanding success for the past few decades, should be retained. If it transpires that a substantial level of support exists within our community for the principle of direct elections, I believe that the bulk of the people of Hong Kong would agree that politics and political parties have no place in an SAR government or indeed in the further development of the present system of government before 1997. I do not personally think that the introduction of a limited number of directly elected seats in the Legislative Council necessarily means that political parties become inevitable and that confrontational politics must follow—although what we have seen in this Chamber in recent weeks might lead to the conclusion that they are already here!

I think there is a danger that the clamour of the so-called pressure groups for political reform as a matter of principle and regardless of the likely results on public confidence in the system may be given disproportionate consideration in the media and in public debate, as opposed to the voices which call for the perhaps less exciting, but in my view more realistic policy of gradual change, if change is preferred.

Pressure groups are legitimate, indeed essential, vehicles for public opinion but pressure groups do not normally represent a wide cross-section of opinion and quite often do not represent large numbers of people. I suggest then that their views are considered in that light.

I believe that the Government is going to have a very difficult problem indeed in trying to assess the real views and indeed the real interests of the so-called silent majority. These are the people who will not choose to make their views known, either individually or through organisations and groups. They will constitute probably the vast majority of Hong Kong's population. I am conscious that many of my own constituents are presently showing a degree of apathy in answering the Green Paper questionnaire that we have issued. I take this opportunity of urging them all to assist us by providing their views as soon as possible. We must all help the Government to get the formula right first time. We cannot afford a hit and miss method nor a system that proceeds by trial and error. Either way would lead to disaster.

Hong Kong will never be a sovereignty entity and has never had a democratically-elected government—nor indeed has China in all its history. Yet Hong Kong has enjoyed the fruits of a determined, enlightened, experienced and non-political government which has cared for the people of Hong Kong and which has successfully engineered the development of one of the most successful economic entities the world has ever known.

I suggest that the maintenance of this system is far more important to the real interests of the people of Hong Kong than the introduction of a politically oriented system that could divide the community against itself and divert resources, both material and human, into confrontation between differing political groups.

Sir, I have not expressed any opinion on the introduction of direct elections, nor on such specific issues as the Presidency of the Legislative Council, the Council's relationship with the Executive Council nor, indeed, the many important matters in the Green Paper relating to the three-tier system of representative government. I will do so when the results of the survey being conducted in my constituency are known. In the meantime, however, my remarks are intended to indicate the general philosophy that I believe we must follow when considering changes, or proposed changes in the present system of government. The present system works very well and should only be altered to the extent that it is completely necessary. As I said earlier, we cannot afford to make mistakes in this all important matter.

Sir, I support the motion.

MR. HO (in Cantonese): Sir, the Green Paper: The 1987 Review of Developments in Representative Government, which is a matter of great concern, has already been published. As one from the industrial and commercial sectors, I paid particular attention to the impact any political changes may have on our economy. Our experience throughout history tells us that our present prosperity is largely due to the stability and efficiency of our political system that has worked well throughout the decades. I believe that we must have a stable social and political environment. We must have attractive investment conditions before we have economic prosperity. Economic prosperity will not just benefit those in the industrial and commercial sectors. On the contrary, all the citizens of Hong Kong will be able to share its fruitful profits.

We all know that according to the provisions of the Sino-British Joint Declaration Hong Kong will become a Special Administrative Region under the PRC starting from 1 July 1997. And we are moving in transit towards that direction. So it is only right that the political changes at this stage should be in accordance with the provisions of the Basic Law. The Basic Law drafting has already started in 1985. According to our timetable, we will have the first draft in 1988, and finally in 1990 it will be endorsed and published by the Chinese Government Standing Committee of the National People's Congress. I think that in our long-term interests we should be very cautious about any political review and changes before the Basic Law is published. We have only had Legislative Councillors elected by indirect election since 1985, and if we have major or radical changes to our constitution now it will be disadvantageous to convergence with the Basic Law.

The Hong Kong people's views will be given due recognition and consideration during the process of the drafting of the Basic Law. We have reasons to believe that if the people of Hong Kong have arrived at a consensus or a prevailing school of thought concerning political reform or the constitution of the Legislative Council, these views will be given due recognition and respect. I think that after the publication of the Basic Law it will be acceptable to have

political reform and developments before 1997. Of course, all of the arrangements must be accepted by both Governments and both Governments must work in co-operation. I am sure that under the friendly and close relationship of the two Governments we will be able to resolve the question of convergence very smoothly.

Sir, the most talked about topic within the Green Paper is whether we should have direct elections to the Legislative Council. Some people have incessantly demanded direct elections in 1988, and they have been spreading the views that if we do not have direct elections in 1988 we would not have adequate time to finish with our political reform before 1997. And, after 1997, we will not have any opportunity to have any reform. Sir, I must point out here that these statements are misleading. The year 1997 is certainly not a deadline before which all changes must be completed, and the people who would like to rush through certain changes before 1997 are either doing so out of devious motives or suffering from a great lack of confidence in China. The truth is that it is the Chinese Government's firm policy to maintain our present policy and life-style and to let Hong Kong have a system that is suitable for its interests. And I am sure that all changes advantageous to Hong Kong would not be strangled by the Government. On the contrary, they will be duly respected by the Chinese Government. I must point out that it is not practical at all to finish with all of the reforms within 10 years. Since 1997 is not a deadline for anything, we still have ample time to allow the Legislative Council to develop on its present foundation. We just started indirect election in 1985. I think we should accumulate more experience and then do our assessment. Because of the above reasons I am against direct elections for some seats within the Legislative Council in 1988.

Sir, I must point out that Hong Kong is a most sensitive place. Our economy is closely related with the people's confidence. Any radical political changes would cause instability to our society and it may also lead to adversarial politics. This will also bring doubts to the minds of many Hong Kong people about whether we can really maintain our present system and life-style after 1997, and in the end our economic development will suffer.

Sir, on 5 November 1986 when we had the policy debate I pointed out that Hong Kong's success relied largely on the well established policy that we have for many years and on the mutual trust between the Government and the people. I hope that the citizens will maintain this trust in the Government and I hope that they will understand the Chinese Government's attitude and commitment in retaining our present system. I think that the mutual trust between the Hong Kong people and the Chinese Government and the co-operation based upon this trust will bring continuous prosperity, stability and achievements for Hong Kong.

Sir, with these remarks, I support the motion.

MR. HUI (in Cantonese): Sir, on 27 May the Green Paper on the Review of Developments in Representative Government was released in this Council. Then Hong Kong can be said to have entered into the most controversial period for collecting people's views in the history of Hong Kong. Undoubtedly, the next step of the development of representative government will have a great impact on the political structure of the Hong Kong society in the transitional period or even beyond 1997. Being the representative of the Social Services Functional Constituency in this Council I am duty-bound to reflect the stand of my constituency on the composition of the Legislative Council and direct elections to the Government and the people of Hong Kong.

In mid-June I conducted an opinion survey by sending out questionnaires by post to canvass the views of people in the social services field. According to the 137 returns, those who advocate direct elections to the Legislative Council in 1988 amounted to 80 per cent, of which 59 per cent think that directly-elected seats should not be fewer than 10. That is approximately 20 per cent of the total number of seats at present. On the other hand, those who support keeping the same number of seats for electoral colleges and for the entire Council constitute 60 per cent and 47 per cent respectively. There are, however, 75 per cent who advocate reducing the number of appointed seats. As to whether the Governor should continue to be the President of the Legislative Council, those who think that from 1988 to 1997 the Governor should not be the President of the Legislative Council total 68 per cent.

Sir, because of time constraints in this debate I can only plan to give the details of this survey's results to the social services sector and related parties in the near future. But from the above figures we can try to structure the composition of next year's Legislative Council. Simply put, the majority of the social services sector asks for a reduction of appointed Members and add in not fewer than 20 per cent of directly-elected seats. The rest can remain unchanged. This view does not only coincide with my stand all along, it also points to a mild objective and pragmatic political reform.

Sir, I understand that for some who never interest themselves in the development of Hong Kong's political system direct elections in 1988 may seem a drastic change. They may say that the political system has seen no change in 100 years; why change it in 1988? In fact, those who ask such questions have overlooked the Hong Kong reality and the needs of our objective environment, including the following points:

(1) In recent years the economy of Hong Kong has changed from an early labour-intensive stage to one that relies heavily on knowledge and technological know-how. Therefore, we need professionals in many fields and more so a stable environment which lasts. To tie in with the change in economic character and also to increase the confidence of our investors in the future there is a genuine need to start constructing a democratic system with an elected element in the Legislative Council next year. Only by so doing can we open our arms to

welcome the talented and the able to consolidate the confidence of our investors. Please do not forget that the confidence of the average citizen and investor reacts in a very practical way. They wait impatiently for the realisation of a first model of democratic system. As to the realisation of Hong Kong people administering Hong Kong after 1997, as stated in the documents to them, this is too far away. I believe we all understand the meaning of the phrase a bird in hand is better than two in the bush. Since the majority is of the opinion that Hong Kong should build up a democratic system, and that nobody objects to the strengthening of the representativeness of the Legislative Council and the authoritativeness of the Government, then why not start this all in 1988?

(2) On political and civic awareness in recent years more and more intellectuals and middle-class people are taking part in politics. They are zealous and exert themselves for the future welfare of Hong Kong. If the Government does not open up its political system in time, then it will certainly bring adverse effects on the whole of society, especially regarding the wastage of our elite group. On the other hand, we cannot really overlook that in recent years our population has a higher education level than ever, nor can we disregard the new circumstances brought about by indirect elections to the Legislative Council in 1985. This has helped to enhance the social and political awareness of the public. If the Government is not responsive to this trend of democratic development or if it suppresses it, then the enthusiasm of the people of Hong Kong to participate in politics surely will be dampened, so will the foundation of the concept of Hong Kong people administering Hong Kong be disputed.

(3) The Sino-British Joint Declaration stipulates that the future Hong Kong SAR legislature would be constituted by election and that the executive is accountable to the legislature. In other words, 10 official and 22 appointed seats at present would have to be totally abolished 10 years from now. The present executive-led system would also be changed. So these two points alone would make it clear enough that the future political system would be a very different one. Therefore, nobody would object that during the transitional period our political system needs to see corresponding changes, and on this we have arrived at a consensus: that is that it should be gradual and progressive, and to complete all reforms before 1997 to ensure a smooth transition. Moreover, I think that to inaugurate reforms starting in 1988 and complete them in 1996 is much more in line with the spirit of gradual and progressive change than to have reforms starting in 1992 and completed in 1994.

On the other hand, whether we have direct elections in 1991 or 1992, objective conditions will surely not be as good as those in 1988 because there are already a number of people who are worried that when the Basic Law is promulgated it will bring about a certain degree of confidence crisis and a tide of emigration. Many economists have predicted that in the early 1990s there will be a global recession. Therefore, if we introduce direct elections at such a time and blame direct elections for bringing about unpleasant results when it only coincides

with such, and take this as an excuse to do away with direct elections altogether, then the idea of Hong Kong people administering Hong Kong after 1997 would evaporate in the air. Those who object to direct elections in 1988 should really think twice.

As to the question of further development of representative government in 1988 having to converge with the Basic Law, my view is that any political reform should base itself on people's views. The British and Chinese Governments have indicated that the direction for the development of representative government and the drafting of the Basic Law would respect Hong Kong people's views. Then if the two Governments keep the promise, whatever the opinions on political reform during the transitional period and the opinions on the Hong Kong SAR political system after 1997, there should not be any question of convergence because the target of consultation for both is the same, that is Hong Kong people.

Sir, before I close I think it necessary to say something on the collection of people's views for the purpose of the present exercise.

Firstly, I sympathise with the Government for having to conduct this 1987 political review in order to compromise the wishes of the British and Chinese Governments, and the Government's intention of making use of people's views to increase the persuasiveness of executive decision is well known. But if the Government only collects opinions without really considering them or just plays around with people's views, then not only will it antagonise the public but it will alienate the people. The impact would be far-reaching. I hope that apart from assessing people's views the Government can also make known its criteria for assessment for fairness sake. I hope that by collecting and respecting people's views in the present exercise the Government could set a good example of co-operation between the Government and the people and sharing each other's burden in the transitional period.

Another thing is that I am very much aware that during this period of divergence of views there might emerge a 'conspiracy complex' in society. This is a mentality that tries to probe the other's motives without getting at the facts, and should not be encouraged because, from the sociologist's point of view, if human beings were to remain in a state of mutual distrust and contention for a long time, social harmony would certainly be damaged. I hope the Government will take this to heart and whenever necessary seek appropriate measures to clear the public of the doubts. The silent majority does not have to mind other people's views and attitudes. They should express their views as they see it to discharge their civic responsibility.

Sir, with these remarks, I support the motion.

MR. LAI: Sir, why are we here in this Chamber? Why are the proceedings of each session broadcast, our words listened to, speeches transcribed, remarks carried by every mass medium to the people of Hong Kong? Why do people look to us

when there are issues to be responded to, policies to be decided, and indeed, laws to be passed? Why are we debating the Green Paper here today? Because we are chosen, one way or the other, to be the leaders of the community. We have been entrusted with the task of feeling the pulse of the community. We response to pressing issues that confront our society. We are respected because we take the fostering of a stable and prosperous society as our responsibility. We are revered because we speak what the community wants spoken of. We are held in high esteem because we put the interests of the community above all else, above our personal interests, desires and ambitions. More than anything else, we are looked up to because we are supposed to provide leadership.

What kind of leadership have we been providing since the Green Paper was released six weeks ago? It is true that we have used many methods, spared no efforts in urging the public to read the Green Paper and to comment on its many questions and options. Are we doing enough? Are we doing all that is expected of us, demanded of us as leaders of the community? No, there has got to be more than just that. If our own role were to arouse people's interest in reading the Green Paper, I suppose we could have adopted the municipal council's approach to the Clean Hong Kong Campaign by inviting a few well known singers and celebrities to film a commercial. After all, I have no illusion that any of us could beat Alan TAM or Leslie CHEUNG in a popularity contest. They would be better able to attract people to find out what this Green Paper was all about.

No, our job has to be more than that. Leadership means direction, direction and not dictation. To say something to the public in the hope of intimidating them into making a choice that is against their inclination is not direction but dictation. Direction means discerning the aspirations of the people and leading them in achieving that end. That is direction, that is leadership.

Surely there are divergent opinions on the development of representative government in Hong Kong, and many options as to the most suitable ways of further transforming the government structure to face the coming of 1997. The need for appearing before the public with no preconceived ideas about this review is appreciated. However, this does not mean the surrendering of our moral responsibilities to lead. We must not be allowed to regress to a state of phobia for speaking out on the issues that warrant our direction and leadership.

Leadership is going out in the forefront and being the first ones in action. It is not just urging the people on to achieve their aims. That kind of leadership is cheer leadership. As leaders of the community we have so far lagged behind in this review. We have been at the rear of the people. We have not been providing direction as we should. If we are going to provide direction, we must first know our aim and destination. Amid all of the options and arguments it is perhaps easy to get confused. We must further identify the ultimate goal of our exercise, and it is not difficult to see what our aim should be. We must ask a soul-searching question: whether we all identify with the quest to develop a truly



representative and accountable government, and whether democracy is a good thing. If we do not even have the will to assert that democracy and equality as an ideal toward which we should strive, then what do we stand for? If we affirm that they are our ultimate goal, then I think making compromises to integrate the dynamics of political reality is acceptable as a means to achieve our final end.

Politics, after all, as the overused phrase says, is an art of compromise. Nevertheless, there are principles that we cannot sacrifice and objectives that we cannot lose sight of. They are equality and democracy. No matter what the political climate may be, we must keep them clearly in focus. We may have to take a detour when there is an obstacle up ahead. We may go around the obstacle but we must not go away from the ultimate goal. Once this premise is established, the rest follows.

Equal political rights among all in Hong Kong is an ideal with which we all identify and which has been denied to us. The constraints imposed by our colonial history have been a political reality that we must reckon with. However, the circumstances have changed. We have been assured by the Administration that direct election is a genuine option in this review. It has also been confirmed that direct election will not contravene the Joint Declaration. If the principle of direct election is correct, and political reality is receptive to it, and if the social atmosphere justifies it and, economic environment permits it, why do we not have direct election in 1988? After all, the introduction of a small portion of directly-elected people in the legislature is conducive to gradual progress in political changes in the run up to 1997. Mere technical details do not constitute any ground for delaying further the process of allowing participation by the people in Government.

That is a simple argument, one that is formulated to clarify, not to confuse, and one that I trust is at the heart of the current debate on whether to have direct elections and have them in 1988.

Having said all that, having established all the premises and deriving all the arguments, why can't we stand up and take the moral responsibility as leaders of the community to point the way of direct elections and universal suffrage. We can no longer hide behind the shelter of the so-called silent majority and we should for once take the initiative in the campaign for further development of representative government. We have been criticised as being deaf to the voice of the people. Our credibility took a beating in the Daya Bay episode and the people called it a fiasco. If the public clearly points to direct elections and we cannot even pursue it this time, we will lose the right to be here in this Chamber even as followers of the community, let alone its leaders.

Sir, today marks the end of the second legislative session in which we have elected elements in the legislature. Today at this juncture of our history must it be the end of the process of opening up the highest level of government that started two years ago? In the on-going quest to attain the ideals of democracy

and equality to which I take the liberty of assuming we all subscribe, we must not lose sight of that which we aspire to when the immediate path is not clear, nor can we afford to deviate from our course when there are hurdles. We know that what we are trying to achieve is just and right. We are on the side of democracy and we are not alone. The people are on our side. The tide of history is on our side.

Winston CHURCHILL remarked after the battle of Egypt: 'This is not the end, it is not even the beginning of the end but it is perhaps the end of the beginning.'

Sir, indeed, our long journey to truly representative government has only just begun.

With regard to specific proposals contained in the Green Paper my position on major issues has been made public on many other occasions. However, I have the following remarks for the record.

As mentioned before, being a realist I am willing to make compromises in order to accommodate the needs of gradual change. While direct elections are undoubtedly a more advanced form of practising democracy and achieving a representative government, I think it prudent to retain the electoral college and functional constituency system, at least for another term, to effect a gradual transition.

I propose a change in the composition of the Legislative Council wherein the electoral colleges, functional constituencies, direct elections and appointments all take up a quarter of the seats. In the redistribution of seats I urge that we observe the contribution of various groups in the functional constituencies. For examples, serious consideration should be given to the demands made by Heung Yee Kuk to be included in this. The kuk has been a vital link between the government and the indigenous residents in the New Territories. Its inclusion as a functional constituency would duly recognise its position and liaison function. In line with my gradual approach to political change I believe that the three-tier system should be maintained for the time being even though I agree that a case can be made for development into a two-tier system in which the district level will also be vested with some executive powers.

Incidentally, there may be an additional reason for preserving the electoral college system at this time. The electoral colleges are an integral part of the three-tier system and they provide an irreplaceable channel between the central government and the district. In terms of representativeness they reflect a wide range of interest from all sectors within the district. When compared with the only other form of election to the legislature, the functional constituencies, they also provide a more open arena for aspirants to compete for office since they do not impose any professional restrictions.

Consideration should also be given to seat allocation to electoral colleges that comprise more than one geographical area. For instance, my constituency, New Territories South, is comprised of heavy industrial areas like Kwai Chung,

Tsing Yi and Tsuen Wan, and rural areas like Sai Kung and Islands. To ensure that their interests will be fully reflected perhaps a reallocation or increase of seats is warranted.

Sir, it is difficult to reconcile the role that you play as President of the legislature and the head of the executive with the principle of separation of power. While your integrity is impeccable, a distinction of roles may yet improve the impartial image of the whole process of government. However, your role as President may help to uphold an appearance of continuity. I support the retention of the present arrangement for the next term of office for the legislature, which I think should be lengthened to four years. The present three-year term may not be the best arrangement for Councillors, especially when the proportion of elected Members is increasing. The time and effort needed to run an election campaign may distract Members from the course of Legislative Council business. Extending the term to four years would give the elected Members more time to concentrate on the work of the office. Moreover, if we decided to start four-year terms from 1988, we would not have an election year in 1997 when the sovereignty of Hong Kong will be returned to China. This may help to usher in a new administration with a minimum of disruption.

In conclusion, Sir, I make all these remarks according to my conscience and according to my perception of the wishes and aspirations of the people around me. There are, of course, others who dispute my interpretation of the people's will. I have no other wish than to see the results of the public opinion-gathering exercise. Should I be wrong in appreciating the public's desire in this exercise I will abide by the decision of the people. But nothing will change my belief in equality and democracy. Some people say that those who advocate democracy use it as a weapon to fight against communism. It is absolutely naive to believe such a thing. We want preservation of our present life-style. This has been granted to us in the Joint Declaration under the concept of one country two systems. We are not going to fight China, and how can we? We are going to work patiently with her towards our mutual benefits.

Sir, with these remarks, I support the motion.

DR. LAM (in Cantonese): Sir, to the Government the Green Paper on the Review of Developments in Representative Government may be a masterpiece but to the general public it is an uninteresting book. And to Legislative Councillors this is the reason for their overtime work. To the people of Hong Kong perhaps what the Green Paper reveals and what it implies are more important than its options.

Compared with the 1984 White Paper on political developments the general public may be very surprised that within a short period of three years the Hong Kong Government's attitude towards political development in Hong Kong has greatly changed. For example, the possibility of having Executive Council Members elected by Legislative Councillors from amongst their own Members

is no longer discussed. The general public would like to have directly-elected Legislative Councillors in 1988. However, this point will have to be reconsidered. People, therefore, begin to doubt whether the proposals of the future White Paper will be implemented. It is perfectly justified that people begin to lose their confidence. It is because most people believe that within the political circle we do not have permanent friends and neither do we have permanent enemies. Where mutual interests are involved enemies can become friends, and vice versa. Hong Kong's political developments will inevitably be affected by Chinese interests and British interests.

Sir, in district boards we should gradually reduce the number of appointed members so that by 1997 all district board members will be elected. Unfortunately, it has been rumoured that in 1988 in the Wong Tai Sin District there will be a reduction of one elected member whereas appointed members will remain the same in number. If this were true then the people of Hong Kong would feel that it is a retrogressive step in our development towards democracy. And people might feel that there is discrimination.

In the Urban Council the directly-elected seats should be increased and appointed members should remain the same. I do not support the point that the Urban Council should have indirectly-elected elements. On the one hand, directly-elected members are more representative; on the other hand, the adverse consequences of election by electoral college can be avoided.

Sir, on the morning of 5 July the Wong Tai Sin People's Development Association with membership including district board members, Urban Councillors and Legislative Councillors conducted a survey on the Green Paper. A total of 1 644 questionnaires were completed. Those for direct elections were 78.5 per cent, those against 13.1 per cent, and those without any views 8.4 per cent. So that shows that the grass-roots in fact supports direct elections.

Sir, in 1988 the Legislative Council should have 25 per cent of its seats by direct election and appointed Members should gradually be reduced. We cannot ignore the views of the general public for direct elections. They include university students and students of tertiary institutions. They will be the elite and pillars of our future society. If we do not have direct elections next year, then these students will be dissatisfied with our society in either an active or passive manner. I am not going to repeat the advantages of direct elections in 1988. However, we must consider very carefully the adverse consequences of not introducing direct elections in 1988. How can the Government explain to the people why they can have direct elections in district boards and Urban Councils and yet they cannot have direct elections in the Legislative Council? Some people who say that we should have direct elections but that they should not be introduced in 1988 are just like a doctor who knows exactly what to pre-

scribe and yet does not give that medicine to the patient and the consequences may be serious. In fact, in 1925 to 1926 Mr. ZHOU Enlai and Madame DENG Yingchao already supported direct elections to the Legislative Council. Now a long period has passed and we are in a transitional period towards sovereignty being given back to China. Yet we say that direct election is unsuitable. So it seems that we are now back-tracking. Some people say that in 1988 we should not have direct elections because civic awareness is not strong enough. In district boards and in the Urban Council we have directly elected members. Are they actually the products of inadequate civic awareness? I am sure that district board members and Urban Councillors would not agree to such a point.

The question of convergence is one of the major issues debated. The future White Paper and the Basic Law have been claimed to be based on the view of the general public. However, if the findings are different, then who is right and who is wrong? How can we find out the truth? Some people have a double identity. Are the elected members of the different boards and councils, who are also members of the Basic Law Drafting Committee and the Basic Law Consultative Committee more representative of public opinion? This is a very interesting question. The Council is debating this issue on these two days. However, regarding the Green Paper the general public probably may become more vague and confused because people sitting in this Chamber are extremely confident; whether they are for or against direct elections in 1988, they all feel that their own options are the options that will be able to give us gradual and progressive development. And, on the question of convergence they have diverse views, too. Some talk about universal suffrage and question whether it is in breach of the spirit of the Joint Declaration. On this last point, Sir, I think it is essential that the Government should openly clarify the issue, otherwise, people will not dare voice their opinions on the Green Paper.

Sir, China, Britain and Hong Kong have a common aim of maintaining Hong Kong's stability and prosperity. However, why is it that now we still have not regained our full confidence? I think one of the major issues is efficiency. If the two Governments merely want to make things simple and easy and enhance the efficiency of governing the place, and ignore public opinion or the interests of the Hong Kong people, how can Hong Kong people have confidence in our existing or our future government? The parental style of government used in the days of our grandfathers will not be acceptable in this free and democratic society.

Sir, no matter which direction we take, confrontational politics will not be good for our stability and prosperity. We all have to bow to the views of the majority, but at the same time we must also think of the general good. That is the only way we can really achieve stability and prosperity.

Sir, with these remarks, I support the motion.

MR. MARTIN LEE: Sir, freedom is born in the hearts of men. And history is full of examples of people sacrificing their own lives so that their posterity can have freedom and equality.

The fire for democracy, on the other hand, usually takes a long time to ignite; but once lit, it can never be extinguished by iron fists.

History further tells us that democracy is never offered to a people on a silver platter. Indeed, if our people expect that true democracy will come that way, then they do not deserve to have it.

Sir, I am happy to say that today, only very few people are opposed to direct election, both inside and outside this Chamber. The great majority of the people of Hong Kong want direct election as an integral part of our electoral system in 1997. The only remaining question is when it should be introduced.

But during the debate on this issue, let us not miss the wood for the trees. Let us remind ourselves that direct election is not an end in itself, but only a means to an end. Let us remember that the ultimate aim is to implement successfully the policy of one country, two systems. In order to do that, it is necessary to keep the Hong Kong SAR capitalist system separate from the mainland socialist system. And to achieve that, the SAR government needs a high degree of autonomy which has been promised to us in the Joint Declaration. The key question is how to ensure that the SAR government can actually exercise that high degree of autonomy. The answer is not difficult to find. The future SAR government needs the mandate from and the support of the people it governs. It is therefore vital to ensure that all the people of Hong Kong will be given a vote so that they can choose their own leaders. And, if they find that the people they have elected into office do not protect their interests, then they will not return them into office for another term.

Sir, I do not agree with some of the hon. Members who spoke before me that our only aim is to ensure that the Government will have a high degree of efficiency or productivity. For the most efficient system of government in the world is a dictatorship.

It is obvious too that the appointed Members of this Council have to be phased out before 1997, not because they have not contributed to Hong Kong in the past, but because the Joint Declaration provides that the entire legislature of the future SAR government shall be constituted by election.

Sir, I have repeatedly suggested, both inside and outside this Chamber, that in 1988, 25 per cent of the Members of this Council should be returned by direct election; 25 per cent from functional constituencies; 25 per cent from electoral colleges; with the remaining 25 per cent to consist of appointed Members.

Sir, it is acknowledged that the introduction of direct election in 1988 for 25 per cent of the seats cannot in itself achieve the object I mentioned above. But it is a necessary first step in the right direction. It is indeed a pity that this Green Paper fails to address the other important parts of our political system. The most important omission relates to the relationship of the Executive and the Legislative Councils, as it affects a very important provision in the Joint Declaration that 'the executive authorities shall ... be accountable to the

legislature'. This accountability will be quite meaningless if the legislature is under the control or influence of the executive authorities. And in this connection, I entirely agree with the hon. Miss DUNN that we should be considering the adoption of a 'ministerial type system' though not necessarily based on the Westminster model.

I cannot, however, agree with her view that we should wait for a few more years before introducing direct election. I have a distinct feeling that she was not convinced herself in taking that particular stance. Further, the conclusion that she arrived at for not wishing, in effect, to see direct election introduced in 1988 was inconsistent with her earlier statements: 'The longer we postpone further change, the greater will be the pressure for it, and the shorter the time available to see it smoothly introduced;' and it is necessary 'to move with the rhythm of the pace of change and not to leave too much to be done too late in the run up to the wholly elected legislature of the SAR'.

I respectfully agree with these and her many other reasons in support of direct election. But they justify the introduction of direct election in 1988 rather than postponing it.

The hon. Miss TAM told Members about some of the difficulties encountered during the deliberations in relation to the drafting of the Basic Law. I would have thought that this is not the right forum to raise these matters. But, because she has raised them and has failed to put these problems in the proper perspective, I have to deal with these matters, though with reluctance. First of all, I must confess that I cannot follow her reasoning as to why the failure to secure that 'residual powers' be given to the Hong Kong SAR could have anything to do with the question of whether there shall be direct election in the future SAR legislature or whether direct election should be introduced in 1988. This is, with respect, a complete non-sequitur.

Secondly, she made reference to section 13 in Annex I of the Joint Declaration, which says: 'The provisions of the International Covenant on Civil and Political Rights ... as applied to Hong Kong shall remain in force'. She reminded Members that one of the Articles of this international covenant providing for universal suffrage has been reserved by the United Kingdom Government. She said that there is a problem in relation to the question as to whether the relevant point of time to look at that international covenant is when the Joint Declaration was signed on 19 December 1984, or when sovereignty over Hong Kong reverts to China on 1 July 1997. Again I must confess inability to follow the logic in this argument, or its relevance to the present issue.

The relevant article is Article 25 which provides (among other things): 'Every citizen shall have the right and opportunity ... without unreasonable restrictions: (b) to vote and to be elected at genuine periodic elections which shall be by universal and equal suffrage and shall be held by secret ballot, guaranteeing the free expression of the will of the electors ...'. The United

Kingdom Government made the reservation in relation to this article, in these terms: 'The Government of the United Kingdom reserve the right not to apply paragraph (b) of Article 25, in so far as it may require the establishment of an elected Executive or Legislative Council in Hong Kong ...'.

But we must remember that the overriding principle of this international covenant is that all participating countries should honour all the provisions in full. But because of particular circumstances prevailing in some countries, their governments find it necessary to make reservation in relation to some of these provisions. This only means that in relation to those provisions which have been reserved, the other countries cannot complain that the reserving countries have been in breach of the covenant. What it does not mean is that the reserving countries cannot later on decide to implement the provisions which have been formerly reserved. And in that event, the other countries would be only too happy to see more provisions being implemented by these reserving countries.

At a time when there has been so much unnecessary confusion raised in connection with this issue of whether or not direct election should be introduced in 1988, principally caused by pro-Peking newspapers and periodicals, it is singularly unfortunate that a Member of this Council should have seen fit to introduce such a red herring. May I respectfully call upon the Administration to disabuse the hon. Member of her view, because taken to its logical conclusion, it may suggest that it will be in breach of the Joint Declaration to introduce direct election in 1988.

Another matter raised by the hon. Member is that universal suffrage '普選', in the said international covenant is a right only given to the nationals of a particular country '國民', and not to the foreign nationals living in Hong Kong. She said that such a matter has been raised during our deliberations in drafting committee meetings but the question has not yet been resolved, though she is confident that it can be resolved. Again, I fail to see the relevance of this particular point in this context. Further, even if there is validity in the point, it must apply with equal force to elections by functional constituencies or by electoral colleges, as some of the voters there are not Chinese nationals.

But there is one extremely relevant matter, which the hon. Member has failed to mention, and, that is, of the six proposals raised in the relevant sub-group of the Basic Law Drafting Committee relating to the composition of the legislature of the SAR, five of them support direct election as being one of the modes of election in the future legislature. Likewise, the great preponderance of views expressed in the Basic Law Consultative Committee is also in support of direct election. This is an important point, because I cannot believe that if the majority of the people of Hong Kong is in support of direct election in the future SAR legislature, there will still be no place for it in the Basic Law. The possibility of a lack of 'convergence' in this regard is therefore extremely remote.



Sir, many of my hon. Colleagues have spoken and will speak on the reasons why we should introduce direct election in 1988. I agree with them and do not wish to repeat all these reasons. And I will confine myself to only some of them.

Sir, direct election is no longer just one of the many issues we are to address in the context of democratisation or turning a fully-appointed Council into a fully-elected Council, as enjoined in the Joint Declaration. It has become a piece of litmus paper, whereby the people of Hong Kong can see whether the British and Chinese Governments are genuine in their intentions of implementing the Joint Declaration and whether they will take heed of the wishes of the people of Hong Kong.

Sir, during these transitional years, both the PRC and British Governments must appreciate that the people of Hong Kong are hyper-sensitive about their future. And more importantly, they must appreciate that though it takes a long time to engender and cultivate confidence, it only takes one careless statement from one high-ranking official to destroy it. As a positive measure, we should introduce direct election in 1988 to ensure that our Government, both before and after 1997, will be more responsive to the people it governs, and will therefore have their support and will be able to defend their rights and freedoms. This Administration can take advantage of this opportunity, in regaining the confidence of the people it governs by demonstrating that it is not a lame-duck Administration and that it has both the will and the ability to govern Hong Kong during these 10 years.

When our people see with their own eyes that direct election has brought about a more responsible, responsive and popular Government, then they will see that there is hope yet in the future, and they will be persuaded to stay longer—perhaps even beyond 1997.

Sir, the policy of 'Hong Kong people administering Hong Kong' cannot succeed without the true participation of everyone in Hong Kong.

In the elections to this Council held in September 1985, less than 2.5 per cent of the adult population of Hong Kong had a vote. This clearly will not do. And I do not agree that the step that we took in September 1985 was too big a step, having regard to the fact that we must turn a fully-appointed Legislative Council into a fully-elected one by 1997. Sir, the present electoral system must change, in line with the concept of the rule of law, which requires that everyone shall be treated equally before the law. We cannot conscientiously continue to deny 97.5 per cent of our people the right to vote in Legislative Council elections.

Sir, in our deliberations on our political system, it is wrong to assume that China has a base-line for the future political structure of the SAR, for I do not believe that any of the Chinese leaders who can determine the future of Hong Kong knows our system well enough yet. Indeed that is why the Chinese leaders want to hear our views.

It would be totally wrong to think that because of the recent remarks by certain Chinese officials, they will not allow direct elections to be introduced in 1988. First, whether to do so in 1988 is entirely a matter for the British Administration in Hong Kong, according to clause 4 of the Joint Declaration. Secondly, as we have seen recently, there is no statement by any Chinese official that is irreversible, if circumstances warrant it, particularly in the light of strong public opinion.

It will therefore be a great pity if we do not tell the Chinese leaders what we want. We should not be afraid of asking for the best for Hong Kong. If we do not ask for the best but for second or third best, then we are likely to end up getting a very unsatisfactory system at the end of the day.

Sir, it is our duty to ask for the maximum within the framework of the Joint Declaration. Under it, sovereignty will revert to China; but apart from defence and foreign affairs, the SAR government shall enjoy a high degree of autonomy. And the higher that autonomy, the better it is for Hong Kong and China, because it will make it easier to implement successfully the policy of 'one country, two systems'.

Sir, one objection to the introduction of direct election in 1988 is that there will not be enough time to introduce it in the autumn of 1988. This is totally unmeritorious and I urge the Administration to correct this view. Sir, I have repeatedly urged the Administration to bring forward this political review. But the Administration has persistently defended its present time-table, by working backwards from September 1988, and Members of this Council have been repeatedly assured by the Administration that if it be decided that in the light of public opinion direct election should be introduced in 1988; then according to the present time-table, there will be ample time for its implementation.

It has been said that as Hong Kong is not a sovereign state, we will never attain true democracy. I reject this argument as totally unconvincing, and unsupported either by logic or common sense. We are promised in the Joint Declaration: 'The Government and the legislature of the Hong Kong SAR shall be composed of local inhabitants. The Chief Executive of the Hong Kong SAR shall be selected by election or through consultations held locally and be appointed by the Central People's Government ... The legislature of the Hong Kong SAR shall be constituted by elections. The executive authorities shall abide by law and shall be accountable to the legislature'. There is nothing in the Joint Declaration that suggests that we cannot have a democratic system of government in Hong Kong; nor is there anything to suggest that direct election cannot be introduced in 1988. Indeed, the paragraph I just read clearly suggests that our colonial system, then consisting of a fully-appointed Legislative Council must be drastically changed to one which is wholly elected by the people of Hong Kong who can hold the government accountable to them through the elected legislature. Further, during the mid-1984 debate in this Council on the 1984 Green Paper, and the early 1985 debate on the White Paper, almost every

Member of this Council supported the idea of 'Hong Kong people administering Hong Kong', and the aims of representative government, set out in the 1984 Green Paper, the chief of which is 'to develop progressively a system of government, the authority for which is firmly rooted in Hong Kong, which is able to represent authoritatively the views of the people of Hong Kong and which is more directly accountable to the people of Hong Kong'.

Sir, I regret that these very commendable aims have been omitted in this Green Paper, which compares very unfavourably with the 1984 Green Paper. This Green Paper lacks direction and purpose. But what it suffers from substance, it makes up in volume, with the result that it is pretty indigestible.

Sir, the supporters of direct election for 1988 have sometimes been described as 'idealists' and 'dreamers'. I do not agree, for we are as much a realist as the next man. But even if we were dreaming, who led us up the garden path and made us dream?

On 20 April 1984, when Sir Geoffrey HOWE said during a press conference that 'it would not be realistic to think of an agreement that provides for continued British Administration after 1997', he promised the people of Hong Kong in effect that there would be established in Hong Kong a representative government before sovereignty over Hong Kong would revert to the PRC.

Then followed the publication of the Green Paper in July 1984, with the very commendable aims which I have just referred to.

The draft Joint Declaration was published in Hong Kong on 26 September 1984, containing the paragraph which I have read out, in which we were promised a representative form of government, in which the people of Hong Kong will elect, among themselves, members to sit on the legislature and, through these representatives, they can hold the executive authorities accountable to them.

The White Paper was published in November 1984, when it was said in effect that the majority of the people who had responded would like to see direct election introduced in 1988.

The Green Paper was debated in this Council in July 1984 and the White Paper in January 1985. During these debates, Members supported both papers for the main reason that Hong Kong would have a representative government to enable the Government to exercise a high degree of autonomy under the 'one country, two systems' policy.

And when the Joint Declaration was debated in the British Parliament, both Houses supported it, but again principally on the basis that Hong Kong would have a representative or democratic government before it is returned to the PRC.

And, quite apart from these official statements, top officials in both the British and the PRC Governments, as well as our top civil servants and

Members of Executive and Legislative Councils in Hong Kong, all spoke in glowing terms of a bright future for Hong Kong because we would have 'democracy', that Hong Kong people would be administering Hong Kong and that the future SAR government would have a high degree of autonomy.

Many people in Hong Kong were encouraged by these promises and they accepted the Joint Declaration because of them. Many saw that there is hope for a bright future to be built on the foundation of democracy. That was why many enthusiastic people joined themselves into political groups, in order to help Hong Kong attain that high degree of autonomy.

Nobody then said we were dreaming. Nobody then said we must not make any change to our political system until after the promulgation of the Basic Law. Indeed, nobody then seemed to be worried about 'convergence', or the lack of it.

If the people of Hong Kong still hold on to representative or democratic government as the basis of a successful future, we are not to blame for we have not changed.

But then what has changed? Chinese officials no longer talk about 'Hong Kong people administering Hong Kong'. They no longer talk about 'high degree of autonomy' for the future SAR; but instead, they emphasise on 'high degree of efficiency'. They also emphasise on the 'one country' in the equation of 'one country, two systems', instead of 'two systems', as in the past. They said that any political development in Hong Kong has to await the promulgation of the Basic Law. They construe 'convergence' to mean: 'You do nothing until we are ready'. Their tones have also changed. Instead of cajoling, they now chide. And with every stern remark, more people queue up at consular offices for visas to leave Hong Kong. And yet, they still talk about prosperity and stability. Who then is dreaming?

But to be fair to the PRC officials, I believe they still mean well. They have absolutely no desire of seeing our vibrant economy crumble. And indeed, I do not believe that they would have changed their attitude but for the over-willingness on the part of the British Government to give in or to 'converge' with the Chinese.

What then is the solution? Hong Kong must hold both the Chinese and the British Governments to the terms of the Joint Declaration. It is not going to be easy. But therein lies our only hope for the future. We must speak out, nay, cry out, until we are listened to. We must not allow the Joint Declaration to become a litany of broken promises.

The people of Hong Kong must realise that the time of keeping silent is over and now is the time for action. Let the people of Hong Kong wake up from their political lethargy. Let the people of Hong Kong take up the challenge of the times. Let us take our future in our own hands and work out a successful future for ourselves and our children. Let us raise our voices in unison and demand to

be treated with equality before the law. Let us demand to have a vote in the 1988 Legislative Council election. Let us take courage in our conviction that this is the only right thing to do at this time. And let the world know that we, the people of Hong Kong, want to be masters of our own destiny, and that we are both willing and ready to administer Hong Kong in full accordance with the terms of the Joint Declaration. And finally, let those who object to the introduction of direct election in 1988 know that if public opinion is to be stifled in this regard, it can only lead to complete disillusionment. It will lead to even more people leaving Hong Kong. It will lead to a failure in our economy and it will lead to a complete breakdown of the one country two systems policy.

Sir, we are now standing at the cross-roads. Are we going to take the apparently broad and easy road by keeping the present colonial set-up, knowing that at the end of the road is certain failure? Or are we going to take the narrow and bumpy road, which we know will lead to a high degree of autonomy in our Government and the successful implementation of the one country two systems policy? That, Sir, is the question for the people of Hong Kong to decide at this very critical juncture of our political development. Our decision on whether or not to introduce direct election in 1988 will constitute the 'make or break' for the future of Hong Kong.

Sir, the die is cast.

MR. DESMOND LEE (in Cantonese): Sir, a democratic system is a safeguard against the government's abuse of power but its shortcoming is that its policies have to be explained to the public, thus efficiency will be affected. Centralised government power may be more efficient but it is easier for the one in power to abuse it and the seeds of immense trouble are sown. At the present, the local Government of Hong Kong is one of centralised power. As the Chief Executive, the Governor reserves a lot of power to himself. The efficiency is high and has facilitated our present economic prosperity. However, the British Government which governs this territory is a democratic Government with several hundreds of years' tradition and it has successfully prevented power abuse by the Hong Kong Government. This combination has realised the strong points of both, that is, high efficiency without abuse of power. So we have the so-called social stability and prosperity of Hong Kong. If we want to maintain the present effectiveness of Government, we must maintain this check and balance combination between centralised power and democracy. In 1997 there will be a transfer of sovereignty for Hong Kong, democratic Britain will cease to rule Hong Kong and centralised-powered China will resume her sovereignty. If the future local Hong Kong Government were to maintain its structure of centralised power, this check and balance combination would be destroyed. If both the sovereign Government as well as the local Government practised centralised power, there will be bound to be power abuse. The foundation for stability and prosperity would vanish. Therefore, Hong Kong should now spare no efforts to democratise our political system. Hopefully, in 10 years time, we can have a well-established democratic local Government to converge with the transfer of sovereignty. If this idea can be successfully implemented, the future democratic

local Government and the sovereign Government of centralised power would be able to check and balance each other and retain the strong points of the present check and balance combination. Only then can we keep our stability and prosperity. However, 10 years only leaves us little time to democratise our Government. Even if we introduce direct election into the Legislative Council in 1988, it is doubtful whether we can complete the process for a smooth transfer in 1997. If we postpone for three years, we cannot form a new check and balance combination in time for 1997, and Hong Kong interests will be at stake.

Recently, many unknown bodies have emerged to speak against direct election in 1988. Some of the arguments, like 'meal tickets are what we want not ballot papers', are unfounded. Obviously these bodies exist only for the sake of influencing public opinion. I support freedom of speech and would not object to anybody expressing views of any nature but I hope that the public will be able to tell right from wrong and will not be misled. I also hope that those who are sincere in working for the welfare of Hong Kong will speak their minds to promote the development of Hong Kong's representative government and also guide the public to express their opinion in the correct manner.

Some people say that now the people of Hong Kong can conduct their businesses and others have jobs. Why should new systems be developed? I am deeply exasperated by such an attitude. Yes, today we treasure the conditions which facilitate our businesses and employment but, if tomorrow our objective circumstances should change without a compatible new system, the present conditions may well all change and our businesses and employment will be jeopardised. The Phoenician age of Iran was one of abundance. But what has become of it now? This is sufficient proof that if we only set our eyes on economic development without doing the same for our political system, society would see chaos and unrest.

Direct election is an essential element in the development of a new system, whereas the indirect election system for the Legislative Council should also be improved. If we were to increase the seats for functional constituencies, then we should first consider those that provide for one person, one vote. As for electoral colleges, I suggest keeping district boards to be the nominators and residents in the relevant district board boundaries should vote. This would prevent political bickering among district board members and will render councillors accountable to two levels, that is, district board and the public. This will really expound the function of indirect election.

As to district administration, the Green Paper does not propose much change regarding the composition and terms of reference for district boards. Things seem to be at a standstill here. I think, we can at least let district boards manage certain district facilities and back it up with increased manpower at the district offices. Even though we can keep the broad ratio between appointed and elected district board members, the ratio of 2:1, with appointed members constituting one-third of district board members, can certainly be improved.

If the population in the boundary of individual district boards should increase and bring about an increase in elected members, like the case in Kwun Tong and the Eastern District, these boards should preserve the original number of appointed members without increasing it in proportion to the number of elected members, so that the proportion of appointed members will be slightly less than one third, to prepare for future development. As for district where, the population has decreased, for example, Wong Tai Sin, a reduction in elected members should be matched by a reduction in appointed members.

Sir, my speech is drawing to an end. The wording of the motion was passive, nor does the motion itself have any constructive effect. I originally planned to abstain but, knowing that the motion would be passed anyway, I decided to render my passive support to a passive motion, to upkeep our consensus. Even though I think the wording of the motion was passive, I still call upon our citizens to give their views on the Green Paper fervently, to promote the development of representative government and to take their future in their hands.

MR. LI: Sir, the 1987 Review of Developments in Representative Government challenges the people of Hong Kong to chart the course of our destiny. Some options in the Green Paper could indeed change Hong Kong forever; for better or for worse no one can say with certainty. What matters now is that we meet the challenge before us through positive action.

For the present, it is the duty of everyone to read, evaluate, decide and to make our views known to the ultimate decision makers if we wish to play a direct part in formulating our future. The choice is ours to make, and it is not an easy one. For we as a community are being asked to make a decision we have been content to leave it to others in the past.

Hong Kong runs on a winning formula. By and large, ours has always been a success story. The basic ingredient remaining fundamentally the same, although we have adopted them now and again to suit our circumstances. In our society, changes are inevitable and if we are to progress, we must keep an open mind to the possibilities of change for the better. On the other hand, preserving the stability and prosperity of Hong Kong must be paramount in our minds, and in this regard, let us not have change merely for the sake of making changes.

Members of the Financial Constituency are of the view that the proposed changes must be examined in the context of preserving a stable Government, law and order, and confidence in Hong Kong both here and internationally. If changes are to be made, they should be made gradually and prudently so as not to risk destroying the success we have worked so hard to build.

My constituents and I also believe that should it be decided to create new constituencies, then the Society of Accountants, to name but one group, would have a strong case for representation in this Council. I declare my interests as a member of the Hong Kong Society of Accountants.

The many decisions before us require cool, rational thinking, not hot-headed argument. Now more than ever before, the people of Hong Kong must stand united or be conquered by divisions and delusions of our own making. In reaching for the answer let us not create a Tower of Babel, where many voices divided and devious are talking at rather than to each other. Let us discuss the options coherently and cohesively.

In the final analysis, Sir, let us try our best to make the choice for the good of Hong Kong, and let us make a decision we will not regret.

Sir, with this remark I support the motion.

4.20 pm

HIS EXCELLENCY THE PRESIDENT: Members might feel that it would be a good idea to have a break at this point.

4.47 pm

HIS EXCELLENCY THE PRESIDENT: The Council will now resume.

MR. LIU (in Cantonese): Sir, in the 1987 Review of Developments in Representative Government Green Paper, there is a chapter on historical background. It is clearly stated that the development of representative government in Hong Kong has been a gradual process. At each stage the Government has consulted carefully within the community in order to ensure the widest possible public support for its policies. The chapter describes the development in the past decade in the most detailed manner, and is useful for our reference. In the 1970s community affairs became more complicated, and certain social problems became more serious, for example problems of hygiene and cleanliness and problems of law and order. It was essential that the support of the general public be enlisted in order to work more efficiently. Mutual aid committees, owners' corporations, area committees and district committees were in fact the products of community needs. In the early '80s, these developed to today's district boards, which now form the backbone of local administration. They are there to solve local problems affecting the well-being of the people, to advise government departments, to promote cultural and recreational activities, to improve the environment, to enhance the sense of belonging of local residents and to play a co-ordinating and monitoring role in local administration. These are achievements known to all.

This all took place in the last decade—we were able to achieve success in these areas for the following three reasons: Firstly, the impetus came from below, motivated by a general need in the community. Secondly, it was a step by step approach, it started with the MACs and the OCs using the buildings as units, then there were area committees and district committees. In other words we had dots forming planes, achieving substantial results. Certainly there was careful



consultation before a step was taken; it was studied carefully and the people were consulted. With reference to accumulated experience and after careful consultation and study, the next stage of development was introduced.

In the past decade I participated actively in community affairs and learned from personal experience that the developments of local administration depended on the gradual and progressive approach. We had to be humble, try to learn from experience and had to help one another. That was how we attained our present achievement therefore any radical political reform, though attractive in the short term may not be what we need and will not bring further benefits to the Hong Kong people.

I would therefore take the opportunity of today's debate to say something to the general public, particularly those who have always been among the silent majority. If you want the development of our representative government to meet the needs of the community, you must speak up now. Give your views and submit them to the Survey Office. Do not hesitate; act now. As you can see, in the past 10 years, we were able to achieve much through local administration in matters of our environment—hygiene, culture, recreation and transport. Improvements were made in response to the wishes of the people and local residents participated voluntarily and actively. The further development of representative government should aim at the well-being of the general public. It is therefore essential that we listen to what they have to say before we make a plan which will be carried out step by step.

I have discussed the historical background, the subsequent developments and the reasons for success. I wish to make a couple of points for Members' consideration. These views are by no means definitive and I have no intention of pre-empting anything and trying to influence the thinking of the general public. These points are in fact part of my personal experience in local administration and also my feelings about my work in the Legislative Council in the past two years. This is only for my colleagues' reference and I hope that by giving my views I will be able to encourage members of the public to give theirs.

Firstly, I think that in the development of any representative government, apart from the system, there is also the human factor. In the ancient days people were chosen by merit to participate in Government. At that time there was no election system. However, when the right people were chosen the country was well governed and the general public benefited. Today, we have the development of a democratic political system, and it depends on the discerning powers of the general public to choose members who will really work for them. I believe we all think that personal contact and knowledge, the willingness to serve, and track record are in fact the real criteria to measure the success of our political system. As I said a moment ago, the progressive style was the reason for our past success, and it will remain the main condition for success in the future. In principle I do not object to a certain degree of direct election, or gradual reduction of appointed Members. However, we must not do this too quickly,

and we must not ignore the advantage of having appointed Members, that is, to complement the other Members. For instance, we may need experts in certain fields and such people, probably will not be returned through election. As to whether we should have indirect election or direct election, that is not something we cannot decide on in one or two years time. We have had the indirectly-elected element in the Legislative Council for less than two years. If we have to decide now whether we will have direct election next year, we may be acting with undue haste. After all the views of the majority of our people should form the real basis for further development.

Secondly, judging from the experience of the past two years, I feel that we should increase slightly the number of members elected by functional constituencies, by say two to three, in order to help the Council to deal with its increasing workload and legislation. As to which groups they should represent we will have to wait for the people to give their views before we can make a choice. Now, we have 12 members returned by nine functional constituencies. I feel that the number should be increased to 15 and that will still not be too many. As for members returned by the electoral college, now we have 12. Subject to the views of the public, the number can be increased also to 15, and it should be left to the 19 district boards to decide how the seats can be allocated in a fair manner. For instance, we can adjust the number of electors in each constituency and the geographical boundaries. Appointed Members can be slightly reduced by two, in order not to expand the Council too much. We must, however, maintain a certain number of appointed Members in order to complement the elected Members. As for Official Members I feel that 10 is the minimum.

Thirdly, apart from the moderate improvements mentioned above I am opposed to other radical or drastic changes—for instance replace the Governor as President of the Legislative Council, or the lowering of the age of entitlement to vote. This will lead to too great a change and will either be premature and will adversely effect Hong Kong's stability and the well-being of Hong Kong people and should not be considered at this point in time.

Besides, some of the people in my constituency have suggested that apart from the existing election system, there should be a district election directly electing not less than 25 per cent of Legislative Councillors. However, some other members and local organisations have different views. They feel that direct election should not be introduced in 1988. Since the views are rather diverse, I feel that I have to present them for your reference.

As for the district boards in my constituency, many members have suggested that the Government should empower the boards to take decisions on certain matters and to direct the action of government departments in order to improve efficiency.

To conclude, in the past 10 years, representative government has developed in a gradual manner, and much has been achieved. Our development in the next year should be built upon that, and we should not make radical changes.

Starting from the '70s local administration has developed from a point to a line and from a line to a plane, and it has been supported and welcomed by the general public. In the next 10 years, we should use this as the basis, and go step by step and progress. It has been said, 'a journey of a thousand miles starts with the first step'. If the first step is right, everything will go smoothly'. The same is true of our political development.

Sir, with these remarks, I support the motion.

MR. NGAI (In Cantonese): Sir, many of my colleagues in this Council, and I myself, have expressed our views on the political development in Hong Kong on many occasions. I think our stance is already very clear, and I think today's debate is really a grand summary of our views. I will concentrate on political reform and the constitution of the Legislative Council. I will also comment on the broad principles listed in the Green Paper.

I must emphasise here again that in developing Hong Kong's political system, we must bear in mind our economic and social well-being. We know that our economy is export led, its scale is small and its foundation is weak. We are really very vulnerable to outside influences. It is absolutely inappropriate to have radical political reforms in Hong Kong. If we do need any changes, these changes must be gradual and progressive. Under no circumstances should we make radical changes to the political system which is so familiar to us and on which our prosperity is based. Some people suggested that in 1988, the Legislative Council should have some seats elected through direct election. It is very obvious that they would like to radically change our political foundation when we still have premature conditions. The far-reaching implication this may have on our society and economy should not be overlooked.

Sir, Hong Kong's economic achievements and social progress are built upon a stable and predictable political system. In recent years, we did have some political changes, but these changes have been small changes and not big changes. In the debate of whether we should have directly-elected seats in the Legislative Council next year, it has been suggested that direct election means democracy; that democracy means Hong Kong people's confidence in the future; and that this confidence means continuous prosperity. And it has even been said that if we do not have direct election next year we would not have any future. I am sorry to say that I find these arguments ridiculous. We must admit that the Hong Kong Government is a pragmatic and efficient government. Many people who support the idea of direct election avoid talking about the efficiency of our present Government and its benefits to our economic development. On the contrary, they will just cite a few seemingly convincing examples to illustrate the weaknesses in the existing system so that they can irresponsibly illustrate that we now have a lame duck government. All they want is to contrive

reasons for direct election next year, and they have totally disregarded the repercussion this may have on our society, economy and investors' confidence.

Sir, history and experience have told us that in the past decades, Hong Kong's economic prosperity and stability have nothing whatsoever to do with direct election or democracy and I see no reason to believe that today the majority of our population have certainly developed a very keen interest in the question of election to the Legislative Council or whether we should have directly-elected Councillors, so much so that we must have direct election next year, or that if we do not have direct election next year we will have a collapse of confidence and the people will all go away. Sir, many people have said these are public opinions—then I would call them miraculous public opinion. It is a miracle that we can have such a main stream of thought in so short a period of time.

Sir, I am a businessman; I am no theorist or idealist. My judgment is based on past records, past performances and past experiences. I try to project future developments based on these, and my judgment is not based on vague imagination. We have been listening to people obsessively hard selling the idea of direct election. They tell us that if we do not have direct election, we won't have a future. After listening to these views, we should now calmly ask ourselves: do we see serious defects in our present political system? Do we see that these defects are affecting our political and economic prosperity, so much so that we must have radical? If these reforms/reformers think so, then I would invite them to cite me historical facts to support their arguments. Please illustrate to me that just because we did not have direct election or democracy in the past, there had been economic prosperity and social stability. If they cannot give me illustrations, that will mean that all their messages are based upon loose assumption. And I would really like to know what basis they have to talk about the future prosperity and stability of our community.

On the other hand, people who are supporting the idea of radical reforms are selling the idea of democracy, but it seems that not many people are giving us a serious or clear-cut definition of the word 'democracy'. Very often we hear people confuse democracy with direct election, and this really does not help the general public to understand more about democracy. Sir, I must point out one thing. In fact a lot of people have over-emphasised the idea that direct election equals democracy which has been most misleading. This has led the public to overlook the fact that Hong Kong people already enjoy a certain degree of democracy under the present system. We do have a lot of consultative channels and we can also elect Legislative Councillors through electoral colleges and functional constituencies; although this is not perfect, we must acknowledge that even direct election will not be able to take care of the interests of everybody in society. I must say that the present system is satisfactory. On the contrary, what are the merits of implementing direct election to the Legislative Council next year? Will it really ensure political

stability and economic prosperity? All this still remains to be seen. Sir, we have been listening to too many idealistic, emotional and lop-sided views and assumptions. But the most important question now is: should Hong Kong sacrifice our overall interests just because we want to satisfy a small group of people's quests for ideal or political gains? I am sure we cannot afford the price of political experiments.

Sir, Hong Kong's political development is something for the long term, and we should not just concentrate on whether we should have directly-elected seats for the Legislative Council next year. We should be more far-sighted and we should think more for the interests of Hong Kong in the long run. We should focus our attention on how our political system before '97 can converge with the Basic Law, so that no instability will result. All along Hong Kong is a society under the rule of law, and everything must have its legal basis; and we take pride in it. After 1997 the legal basis is the Basic Law, and Basic Law will be drafted according to the provisions of the Sino-British Joint Declaration; in other words, the Basic Law will be our constitution after 1997, and our legal basis for the future political system will also come from the Basic Law. Since we all treasure the spirit of law and since the future political system will be continuation of the present system, I see no reason to disregard the important point of convergence with the Basic Law. I really do not understand how the people who disregard this very fundamental important point can still talk about development of a democratic system. Sir, I must point out that since the Sino-British Joint Declaration has already pointed out that the legislature of the SAR will be formed by election, we have no reason to assume that the Basic Law will not have necessarily an appropriate arrangement. We have no reason to assume that both the British and the Chinese Governments will not keep their words. And so, if the conditions are still not mature enough, it will be too rash for us to rush into direct election. As an old saying goes, 'one false move will cost you the entire game'. We must be very cautious and take our first step with utmost care.

Sir, I am in favour of maintaining the present number of appointed Members and Official Members, but I think that we can consider increasing the number of functional constituencies. I think we should give the tertiary education sector one seat to cope with the further development of tertiary education. As for the number of electoral colleges, the number should not change, and I think we should not make any change to the Presidency of the Legislative Council, as the Green Paper says; 'the Governor provides at least a symbolic link between the two Councils and the presence of the Governor adds to the dignity of its proceedings.' Now, since this is something very important, we must decide only after careful deliberation, and I think for the time being we should not have any change.

Sir, now I will briefly comment on chapter 3 of the Green Paper, concerning the district boards and the municipal councils. The late Governor, Sir Edward YOUDE, said during 1986-87 policy address:

‘The general structure of government in the territory is now well-established at District Boards, Urban and Regional Councils and central legislative level. Experience over the last year suggests that this structure is serving Hong Kong well.’

Sir, I entirely agree with such a view. At least at present, the three-tier system is very satisfactory to Hong Kong and I think there is no urgency to make major changes to this system. As for district boards, when they were first established, the authority already clearly defined their roles—basically, district boards are local advisory bodies. If we are to change the terms of references of district boards, this will affect the whole three-tier system, and I am sure this will also have some influence on the central legislature. This may not be advantageous to the efficiency of our Administration. Somebody suggested that local affairs which are now in the hands of the Urban Council should be handed over to the district boards. I think we must really be very cautious about this because if we do not as yet have clear delineation of terms of references, there may be over-lappings and waste of our resources. So in conclusion, I think that we should not change anything about the powers and terms of references of district boards and I think we should maintain the present ratio between appointed and elected district board members. As for the structure of the Urban Council, I think we should not make any changes to the present arrangement under which all elected members will become ex-officio district board members. And we should not change anything about the seats of the Urban Council, or the structure of its committees so as to maintain its totality and independence.

Sir, we should take the review of developments in representative government as one of the steps in the general political development of Hong Kong. As I said, political reform is something for the future, and it go far beyond the invisible juncture of 1997. We of course need to take various steps in accordance with changes of our space and environment and we must go through different stages. So, if we just focus our attention on the changes that may or may not happen in one or two years, it will really be very short-sighted of us; not only will this cause chaos in our political system, this will also do no good to our future prosperity and stability. I hope that the Government will pay more attention to the long-term objective of our political development in the drafting of the White Paper.

Sir, with these remarks, I support the motion.

MR. PANG (in Cantonese): Sir, the workers I contacted told me that from the point of view of the workers, to support direct election for the Legislative Council in 1988 needs no justification, because this has already been made clear in paragraphs 25 to 28 in chapter II in the 1984 White Paper on representative government.

Being the representative of the Labour Constituency, I myself, and the members of my advisory and monitoring group come from the Federation of

Civil Service Unions, the Federation of Hong Kong and Kowloon Labour Unions, and the Hong Kong and Kowloon Trade Unions Council. The representatives of these bodies gave me a clear and distinct message and that is that they and the bodies that they represent support direct election in Hong Kong in 1988 unanimously.

I give direct election in 1988 a high priority; that is the most important point of the Green Paper, and it demands our immediate attention. In the present Green Paper, we cannot see any mention of the relationship between Executive Council and the Legislative Council, and the composition of Executive Council, as to whether the legislature can elect the executive. I support direct election in 1988. As I said, the workers told me it need no justification, because the Government has talked about it in the past. However, let us take a look. Why does the labour sector have such a view? From past history and from the present day, we can feel for ourselves. With a Legislative Council without election, what kind of results do we have on peoples' livelihood and labour laws. What kind of help have we got?

Therefore, as early as 1925 in a strike statement jointly signed by all trade unions in Hong Kong, the labour force already advocated universal suffrage to elect the Legislative Council at that time; because in the course of fighting for their own rights and welfare, the labour sector of that time already fully understood that if they could exercise their political rights—that is when they were allowed to vote—then their work and livelihood would certainly be improved and protected.

The workers of Hong Kong today understand all the more that rather than let others suppress any improvement to workers rights and welfare with the unbeatable weapon of economic development, we should strive to let more workers' voices be heard and respected in the Legislative Council.

Certainly, I must mention another important point here, and that is, how should we ensure the continued development of the freedom of speech, politics and thought? This is the common wish of those who live here all the time, and those who come from China:—especially when these freedoms are from time to time scaled by people involved in formulating our laws, by using high-sounding phrases, like 'public interest'; the public would realise all the more that they should exercise their political right—that is the ballot papers. This means more than any other thing.

Sir, our neighbours, Taiwan and South Korea, are taking large strides towards democratisation. Taiwan has lifted its curfew, relaxed limitation on freedom of the party and of the press, released political prisoners, and introduced direct elections. In South Korea, the ruling party and the opposition party have reached an agreement, discussed amendments to the constitution and are making preparations to directly elect the President; at the same time she has released a large number of political prisoners. All this indicates that the tide of the demand for democracy is washing the whole of Asia. However, our

political review looks timid, and takes a strange direction to go against the tide of democracy. Some say direct election in 1988 is not in accordance with the law, and that it contravenes the provisions of the Sino-British Joint Declaration. If so, how come trade unions are not against the law? Why do you say that direct election alone is against the law? What is the real object of their fear? Why are they afraid of direct election? I am very aware of public opinion, and I feel very strongly about some of our colleagues, that in 1984 during the negotiations for the Sino-British Joint Declaration, many of them have shuttled between several places to try to get the best declaration for Hong Kong, to safeguard our freedom and prosperity. I also remember clearly that at that time, after the initialling of the Sino-British Joint Declaration, the two Governments have recommended that this is the best declaration that they can ever give. They recommended it to the Hong Kong people, saying that in the future, you would have a highly autonomous state and other policies such as one country, two systems, as well as maintaining the system unchanged for 50 years to come, and also Hong Kong people administering Hong Kong. All these promises are still in our minds, but unfortunately, I heard different explanations. It seems that there are many tricky points in the Joint Declaration. Now, if we make one move, people say we contravene the Sino-British Joint Declaration, but whatever step we take, somebody would say that we contravene the Sino-British Joint Declaration—even if we speak, some people may say that we are contravening the Sino-British Joint Declaration.

Sir, I have spoken too much. I should not speak so much as I should not give any justification for supporting direct election in 1988, but I have spoken a lot. But, I have told you the reasons. We should let those who have lost their political power exercise their political rights in an early state. I support direct election in 1988. Sir, this is all I want to say.

I support the motion.

MR. POON CHI-FAI (in Cantonese): Sir, the Green Paper on the 1987 Review of Developments in Representative Government deals with future reforms and developments of the political system in Hong Kong, and receives a lot of attention from various sectors of the community. The Administration has made use of a considerable amount of manpower and financial resources, to launch a series of publicity campaigns, and conduct a number of public opinion survey exercises on the Green Paper. It shows that the Government attaches a lot of importance to the Green Paper and public opinion. However, the Government should analyse in even greater detail all the options in the Green Paper to help the public fully understand the options and make the correct choice. Since the consultation period for the Green Paper ends only in September, I would like to call on members of the public to continue to speak out, offer their valuable opinions, so that we can formulate a development programme that is in the interest of Hong Kong. On the Green Paper, I would like to make the following comments:



(1) *Qualifications and the backgrounds of the candidates*

Now, one vital factor that contributes to the success or otherwise of a political system is whether upright and capable people who would genuinely want to serve the public are being elected as representatives. Therefore, when we vet the qualifications of the candidates, we must ensure that the candidates are mentally mature enough to discharge the duties of a representative, and that they have good character, and a spirit to serve the community. Moreover, they must not be related to triads or unlawful societies. The minimum education standard of the candidates should be included in the review, so that each and every Councillor will have a minimum education standard. But, when we vet the candidates' background and qualifications, we must be cautious and guard vigilantly against abuse, so that all capable people will qualify as candidates.

(2) *Terms of office of the Councillors*

Now, in order that the elected representatives have more time to familiarise themselves with their new duties, to accumulate experience and to maintain consistency and continuity in their work, and in order to give more time to the electorate to get to know the performance of the Councillors, I think that the terms of office of the Councillors should be increased from three years to four years.

(3) *Link between the district boards and the Urban Council*

From my experience in the operation of district boards, the existing unidirectional arrangement, whereby Urban Councillors become district board members as well is unsatisfactory. Yesterday, Mr. Jackie CHAN, my colleague, gave ample examples to illustrate this point—I am not going to repeat the points aired. In order that the views and interests of district boards are adequately reflected in the Urban Council, I am in favour of increasing the number of seats in the Urban Council to accommodate one member from each urban district board. As to the point made in the Green Paper that if we have directly-elected as well as indirectly-elected Councillors from the same geographical constituencies, there will be doubt as to the representative status of the two categories of members. I think that this is worrying too much. What the public is most concerned about is whether the Councillors are doing their utmost to serve the public, and not whether they are directly or indirectly elected. In fact, in the Legislative Council, district boards or Urban Council, we have directly-elected, indirectly-elected or appointed members—though they have different status, it does not affect their aim to serve the public to their best capability.

(4) *Duties of district boards*

District board members have a deep understanding of district affairs, but they may not have all sorts of professional expertise. Also the policies laid down by the central government are in the interests of Hong Kong as a whole and central policies may conflict with local interests. Therefore I support the suggestion that

district boards should mainly play an advisory role. However, unless the advice given the district boards goes against the policy formulated or the priorities set down by the original authorities are not in the interests of Hong Kong as a whole, advice from district boards should be accepted as far as possible and acted upon quickly. If advice from district boards cannot be accepted, detailed explanation should be given in order to dispel the misunderstanding that the Government does not attach much importance to district boards. In addition, district boards have a good understanding of local affairs, therefore district boards should be given the right to manage some district facilities.

(5) *Members returned by the electoral college*

In order to have a balanced composition for the Legislative Council, we should not increase the number of seats for the electoral college by too big a number. Therefore I am in favour of maintaining the number of constituencies, but we can consider reorganising some geographical constituencies to provide for a more appropriate grouping of districts. There should also be slightly more seats allocated to constituencies with a large area with a large population and of a diverse character.

(6) *Direct election in 1988*

Sir, in the platform that I issued when I ran for election to this Council, I said that the development of political structure in Hong Kong should be in the direction of democracy and freedom, and that the ultimate aim is direct election. Therefore, in principle I agree that some Legislative Councillors should be directly elected, but, regarding the process of direct election we must take a gradual step and must not be too hasty. We certainly do not want to cause any adverse effect on the prosperity and stability of Hong Kong during the transitional period. After the publication of the Green Paper I consulted the majority of the district board members in Kwun Tong, and also members of the kaifong associations in Kwun Tong on their view on direct election, and I am still consulting their views. But the response that I have received so far is rather diverse. There are some who are in favour of direct election, some who are against direct election, while still some who are in favour of direct election after 1988, but not in 1988, and of course there are those who do not indicate any preference. Now, indirect election has been practised since 1985, but the Government has not conducted a review on the effectiveness of indirect election. In Hong Kong the levels of civic education and civic consciousness are still low. Therefore I have reservations on introducing direct election in 1988.

Sir, during the transitional period in Hong Kong, we must discard preconceived ideas, respect one another and co-operate in our efforts to create a better Hong Kong. Only if we remain calm and pull together can we create a better tomorrow for Hong Kong. I believe all these are what each and every Hong Kong citizen wants to see.

Sir, with these remarks, I support the motion.

PROF. POON: Sir, since its publication in May, the Green Paper has generated a great deal of heated but welcome debate on representative government. The issues which the Green Paper touches on are wide-ranging. Today, however, I will just focus on the Legislative Council, and be brief, by simply stating my position on some of the options outlined in the Green Paper without repeating the arguments on these options, as the ground has been well covered by my hon. Colleagues who have spoken before me.

The Legislative Council is now made up of 10 Official Members, 22 appointed Members and 24 elected Members. While I support some reduction in the number of appointed Members in 1988, it would be unwise to reduce further the number of Official Members. This number was reduced from 18 to 10 in 1984, and I quite agree 10 is the minimum number required to maintain the efficient conduct of public business in the Legislative Council.

Members elected to the Legislative Council by functional constituencies represent professional expertise so crucial to the well-being of Hong Kong. To reflect more accurately the sentiment and views of the professional sectors, I think two to four new constituencies should be created with their own seats in the Legislative Council. A new constituency for accountants and an extra seat for engineers and associated profession constituencies should be given serious consideration.

Members elected to the Legislative Council by the electoral college represent geographical constituencies. Introduced in 1985, the concept of the electoral college has generally been well received, although the arrangements for elections and the voting system were criticised as being open to abuse. I believe that the existing number of constituencies should be maintained, but some geographical constituencies should be reorganised to provide room for a more compatible grouping of districts. However, the voting system has to be reviewed.

As an academic of no strong political inclination I support direct elections. But I have some reservations regarding its hasty introduction in 1988. Direct election is an expression of an ideal, whereby every man exercises his inalienable right to choose the form of Government he desires. It is an ideal that we all strive for and welcome. However, the key issue is whether Hong Kong is ready to implement direct election next year. I believe that any kind of political change must be proceeded with cautiously and in steps. I fully agree with the arguments put forward yesterday by some of my hon. Colleagues, Mr. S. L. CHEN, Mr. Stephen CHEONG and Mr. H. K. CHENG, and will not repeat them here. My hon. Colleagues who are also members of the Basic Law Drafting Committee, Mr. WONG Po-yan and Miss Maria TAM, confirmed yesterday that the drafting committee has not yet come to any conclusion concerning the way in which the elections to the future legislature after 1997 are to be conducted. We all recognise the importance of convergence between the Basic Law and changes being introduced. Although it is very likely that direct election will constitute an important element in the election processes to the legislature in the Basic Law, the chance of not having direct election is not absolutely zero. If we introduce

direct election into our legislature next year, ahead of changes yet to be drafted and rectified by the Basic Law, we may take the risk—remote perhaps, but nevertheless a grave one—of initiating a process which will be difficult to bring to a halt, should the need arise, without causing a great deal of destruction to our stability. Although the risk may be very small, that is one to be reckoned with, and we should balance this risk against whatever benefits we think might be gained from introducing direct election now, rather than waiting for two or three years. Volatile as Hong Kong is, we cannot afford to take any political gamble, as what is at stake is the stability and prosperity of the community of well over 5 million people. It seems to me more pragmatic and wiser to take a cautious approach, by postponing direct elections until say, 1991 or 1992, so that our embryonic democratic institution can have time to develop to political and social maturity before taking this big leap forward. However, the people of Hong Kong should now gather all our momentum to tell the Basic Law Drafting Committee our visions so that an element of direct election could be incorporated into the provisions of the Basic Law.

Having said all this, I should mention that the Survey Office established to collect public opinion on the Green Paper has before it a mammoth task. If the report the Survey Office finally produces shows that a clear majority of people in Hong Kong favour some form of direct election in 1988, I would agree that we should abide by the majority view, because we would otherwise be letting Hong Kong people down, if their opinion is not in any way respected by the Government which has asked for it in the first place.

In this respect, the voice of the silent majority is of the utmost importance. I would sincerely hope that they will write in to the Survey Office, to give us a reliable view of the community. If direct election is to be introduced in 1988, I support the suggestion that it should preferably be introduced in the electoral college to replace its present system of indirect election.

Sir, before I conclude, I would like to comment on a few other aspects reviewed in the Green Paper. Regarding the Presidency of the Legislative Council, my view is that the Governor should remain as the President of the Council. Because of his heavy commitments, however, the Governor might appoint some other Member of the Council to preside in his absence for specific sittings or parts of sittings. Regarding practical aspects of elections, I favour a change in the basic sequence of elections to one in which the Legislative Council elections follow the district board and the municipal councils elections—an introduction of an element of staggering, by holding the functional constituency and electoral college elections to the Legislative Council in different years.

Lastly, regarding terms of office. I think the term of office of district boards, the municipal councils and the Legislative Council should be lengthened to four years. It is important that the terms of office of all these bodies should be of the same duration if they are not to get out of synchronisation over time.

Sir, with this remark, I support the motion.

MR. SOHMEN: Sir, in approaching this debate I was reminded of a remark attributed to Clement ATTLEE: 'Democracy means government by discussion but it is only effective if you can stop people from talking.' Indeed it seems to me that never before in Hong Kong have so many said so much to express so little to so few. My position on the vexed question of direct elections to this Council is well known, and I was tempted to say little more, since very few new arguments have emerged since I addressed this subject in the policy debate last November. However, we do have a duty to the people of Hong Kong to guide them on the pros and cons of various options contained in the Green Paper, and I shall try to do so even if it takes a little longer. Besides, I've always refused to be an ostrich.

We now have had serious discussions about constitutional reform in Hong Kong for about six years, and we have lived with some reforms for the last two years. We seem to get lost more and more in rhetoric without getting any closer to what I consider viable and practical solutions in Hong Kong's best interests. This should not be surprising, since we are engaged in several layers of debate are using cliché's borrowed from other places, and are indulging in hypocrisy. Mr. Martin LEE has spoken about people dreaming. To me, this debate is a matter of people sleeping in the same bed but having totally different dreams. It naturally adds to the confusion when they wake up.

The problem with this debate also rests in the political environment which has hitherto shaped the territory and in the mentality and cultural background of the people of Hong Kong. They traditionally look to authority for guidance but in this instance are given none. Instead they are confronted with catch phrases and vague assurances that democracy will produce greater security in the face of uncertainty and anxiety surrounding the transfer of sovereignty. There is also an almost instinctive tendency by people here to make positive rather than negative choices and to opt, when this becomes necessary, for compromise and consensus. After all, this approach has done wonders for Hong Kong and all its inhabitants so far: as a community we have become rich and famous and managed to secure a special deal from China as a result. We have not missed democratic institutions until the 1984 Green Paper was published; indeed, their absence has largely facilitated the success of Hong Kong's economic and social systems.

So when faced with a choice of saying 'yes' or 'no' to a proposal, especially when that proposal or its consequences are only dimly understood by a population prone to political apathy but which are held out to be an acceptable, or the only solution to an otherwise confrontational development, the answer is fairly predictable. Opinion polls therefore will have limited value since they will not be able to probe the full circumstances behind the choices made by the respondents. This is not to downgrade the survey effort, simply to point out the existing quantity/quality problem.

Sir, if the question of constitutional reform was not so seriously important for all of us, one might be tempted to be amused by some of the convoluted reasoning being applied by all sides to impress the gullible. The naive assertions, for example, that Government would lose all credibility and that Hong Kong's future will be imperilled if we do not accept more radical change at an early stage are as misleading as the arguments that only direct elections mean democracy, or that the Joint Declaration's reference to an elected legislature could only have meant direct elections. If this was the case, then why did the Joint Declaration not say so, and why is there an argument about interpretation between the British and Chinese Governments? Where is the pressing social and political need now so frequently mentioned as a reason for rushing into further reforms, and what really are the serious deficiencies of the present system, and the tangible advantages of the new one? Which guarantees can the proponents of more radical reform offer that changes to our political structure will make the transition to Chinese sovereignty in 1997 smoother rather than more difficult? And if it was true, as some maintain, that these reforms would not in any event disturb the social, political, or commercial equilibrium in Hong Kong, then why the urgency to effect changes before the blueprint for the longer-term future of the Territory is agreed upon? If the reformers truly believe that the Basic Law will in any event provide for direct elections, then why the haste in forcing the pace now—does this pressure not in itself imply a measure of doubt that the Basic Law could come up with a different solution, so that it is necessary to get a foot in the door? Or are political activists afraid that if they lose the momentum now, they will not be able to make a pitch again in 1991 or 1992? Clearly their political credibility would then suffer but is this a good enough reason to accept solutions that are not in tune with the present realities governing the Hong Kong situation?

Hong Kong will never be a sovereign entity and any efforts to pretend otherwise will be doomed to failure. China will not tolerate any trappings of sovereignty to attach to Hong Kong's political structure, despite the 'Hong Kong people ruling Hong Kong' in the 'high degree of autonomy' stated in the Joint Declaration, at least not until China herself can decide that loyalties are fully secure. Hong Kong therefore has to accept legal constraints on its scope for self-determination in a democratic fashion, including restrictions placed on the possible development of the legislature towards a future centre of political power. This fact will also have to be accepted by Westminster and the British public who reflexively still tend to treat Hong Kong's case in the mould of other colonies brought to independence; it is not necessary to enumerate in what respects the Hong Kong situation is different.

In introducing the Green Paper to this Council the Chief Secretary said that all options contained therein were genuine and that Government had no pre-conceived ideas as to the merits or demerits of each. This may well be true but hides the fact that the options themselves are limited because the Hong Kong Government has much less room to manoeuvre in 1987 than it had in

1984, when expectations of direct elections were first raised. There is no mention as to where changes made in 1988 to the electoral system would ultimately lead. There is certainly no reference—as there was in the 1984 Green Paper—to a greater representative element in the Executive Council, or to the possible development of an administrative system which—as the now Senior Member said in her speech in the 1984 debate—should be the ‘longer-term objective’ in order to convince people that their elected representatives would have real influence. I was glad to learn from her speech yesterday that the Senior Member has remained consistent on that point. But, what is then the purpose of creating an odd assembly of appointed, directly-elected and indirectly-elected Members, if ultimately they are all meant to carry the same responsibilities and have the same status and the same vote? What else could differentiate the directly elected Members, particularly if they are kept in the minority, from their fellow Members other than their claim that only *they* truly represented the people of Hong Kong and therefore could intrinsically speak with greater authority, and were thus entitled to more respect for their views?

Does this not suggest that we shall be creating a permanent opposition in this Council whose Members’ role as frequent objectors of Government policies and actions and of majority decisions will almost be thrust upon them since they have to prove to the electorate that they, and not the majority, speak for the population? Will Government not then find it difficult to disregard or overrule the views of the directly-elected Members without running the risk of being seen as insensitive to the needs and aspirations of the community as a whole? We have had occasions in the recent past when Government was accused of just such an attitude and was a result described as ‘unresponsive’ and ‘lacking in credibility’. Does Government really wish to face confrontation on every major issue? Does it really want to see the appointed and indirectly-elected Members of this Council firmly relegated in the public mind to the role only of defenders of special interests, something of which we are already being accused? Is the Government convinced that partial direct elections as proposed in clause 107 (ii)-(iv) of the Green Paper are the way forward to maintaining, in the Chief Secretary’s words, ‘a stable and consistent Government that can operate effectively’? At the same time, are the people of Hong Kong convinced that by having a directly elected element in this Council and thus almost by definition a group of full-time professional politicians, we shall see an improvement in the performance of the political system, or help the Government to avoid the ‘lame duck’ label. In other words, will direct elections increase Government’s political kudos? I doubt it. On the contrary, I believe that the need for constant political bargaining with the populist elements to maintain an appearance of effective Government will tend to reduce Government’s authority and decision-making flexibility. The tendency will then be to bolster its position again by closing bureaucratic ranks and also by relying more on China to support its dwindling authority in dealing with the opposition. What appears to be a move towards greater democracy could therefore turn out to have the effect of prompting more autocratic rule.

Conversely, if direct elections are not readily introduced, are we so afraid that Government will lose all political credit so as to force the people of Hong Kong to accept accommodation with the political activists *now* even at the risk of certain challenges to Government's ability to govern in future? Have my hon. Colleagues and has the Administration considered how to deal with the frustrations that will build up in the community if the directly-elected Members of this Council are not seen to be 'effective'? Do we not have to expect that there will be continuous pressure to promptly increase the number of directly-elected Members so they can become the majority and then can be seen to reflect the wishes of the people in the formulation and implementation of policies? If this end-result is implicitly contained in the present proposals and accepted as such, then I shall hold my tongue; all I can say is that it is nowhere clearly mentioned. There certainly will be no going back; and to all those who are willing to accept the options now proposed on the basis that they are an experiment only or a test run, I can only say that they are fooling themselves. If we make that first step we shall have to continue walking, however rocky the road will get.

Wishing to avoid confrontation and retain their leadership aspirations, and wanting to be seen as credible and open-minded contributors to the debate have prompted a number of my hon. Colleagues, as well as so-called establishment groups, to withdraw their earlier reservations and to espouse the concept of partial direct elections as an acceptable compromise, subject only to timing. As a member of the so-called establishment I am naturally expected to fall in line. But, Sir, I continue to regard this limited acceptance of direct elections only as the lesser of two evils and not as the better alternative that is still available to us. It is also a somewhat dishonest compromise made on the assumption that, if implemented, it will do little harm to the existing distribution of power but will instead act as a useful safety valve for regulating the ambitions of the political activists in the community, and allow Hong Kong to show a democratic face to the outside world in terms more readily understood than our existing system of consensus government run by civil servants. It looks like a neat solution but suffers from the deficiencies I have already highlighted: It will not be possible to hold the directly-elected element static over time nor will policy clashes be avoidable. Despite the foresight in political acumen and power with which the business community is so often credited, particularly when our local reformers and the world press talk about the great 'conspiracy' between Beijing and Hong Kong notables to keep the people of Hong Kong deprived of their democratic rights, the so-called establishment may also turn out to be overly idealistic.

It is of course not all that surprising that there is some congruence of views between the Chinese Government and Hong Kong business leaders as to the necessity to preserve investor confidence and local prosperity; starting from different premises, both sides look to the longer term from a higher vantage point and both unwish political instability or ineffective government to interfere with these goals. They therefore prefer gradual and evolutionary



change to more abrupt reforms and need more convincing proof that the tangible benefits achievable from a move towards more representative government *now* will outweigh the drawbacks of a venture into the unknown. Hong Kong is already more successful economically than many other nations or territories, including those of a democratic persuasion; I therefore repeat what I said last November, namely that the burden of proof rests with the reformers. Beyond extolling the virtues of 'one-man one-vote' they have yet to demonstrate how a fundamental change in the political structure will allow us to do even better, will help strengthen Hong Kong's ability to attract funds and compete internationally, will stop emigration, or maintain the high level of motivation of Hong Kong's working population. Political equality is wonderful but does not guarantee the weekly pay cheque. Neither media appeal nor fine speeches will produce solutions to the daily problems of governing this complex territory. The task for the reformers is made the more difficult because although we may not have a full set of democratic institutions, we nevertheless live democratically, have equality of opportunity, and our system provides for the protection of individual liberties and contractual rights. We do not need more 'democracy' because we do not live in a society abused by authoritarianism, or in one struggling for more local self-government, or where one ethnic group seeks leadership over another, as is the case in some of our neighbouring countries.

6.00 pm

HIS EXCELLENCY THE PRESIDENT: I must point out that it is now Six o'clock, and under Standing Orders, the Council ought now to adjourn.

CHIEF SECRETARY: With your consent, Sir, I move that Standing Order 8(2) should be suspended, so as to allow the Council's business this afternoon to be concluded.

*Question put and agreed to.*

MR. SOHMEN: Sir, I'm surprised there weren't any 'noes'. The political activists suggest that we must have democracy to better ensure that Hong Kong's interests will be fully protected after 1997 when the institutional restraints on the British bureaucratic government disappear with British sovereignty. I do accept as a valid argument that the future constitutional ties to a socialist state will make it more difficult to base any expectations of governmental restraint and the continuing respect for the rule of law and for individual rights and liberties on trust alone, as Hong Kong people have learned to do during the many decades of British rule, and that these should therefore find an anchor in Hong Kong itself. I also accept that this anchor should be forged through a strengthening of the representativeness of the legislature to allow it to exercise a restraining role on the Administration. But I do strongly believe that direct elections, especially partial direct elections, are not the best format to achieve

this representativeness and at the same time create a strong, unified and responsible body. It is a great pity that the issue of direct elections has become so emotional, so much a measure of the degree of future autonomy, and such a symbol of Hong Kong's ability to resist interference from China,—such a litmus paper as Mr. Martin LEE called it—and that it has pushed all other alternatives into the background. I am not convinced, on the other hand, that the legislature, elected by popular mandate will allow it to resist any conscious attempt of interference from outside Hong Kong. Direct elections provide no improved safeguards for autonomy but on the contrary lend themselves quite easily to 'Patriotic Front' movements of the type we have seen coming to power in Eastern Europe, for example, after World War II.

Sir, it seems generally agreed that we shall continue to have an executive-led Government in Hong Kong after 1997, and the Green Paper certainly does not suggest otherwise. Apart from localising the Civil Service, we must undoubtedly develop local political leadership, but this can also be done without a fundamental reform of our current political system and without the further fragmentation of political power through the creation of another class of directly-elected legislators with untested pedigrees, limited staying power, and a tendency towards radicalisation. The democratic movement in Hong Kong is disorganised and splintered; its leaders are not united. In a society as pragmatic as Hong Kong's it is not at all certain that the democratic movements will produce the future leaders acceptable to a majority of the population, however much they may try.

The more so since the performance of the political activists to date has not always been perceived as particularly democratic or successful. They are seen as mavericks with a reluctance to accept majority decisions, they criticise political opponents as 'forcing their views on the people' and are publicly doubting that even the introduction of direct elections will produce democracy. Most tellingly, they have accepted the compromise of partial direct elections although they must be aware of the difficulties they would face as a minority in being able to deliver results to their electorate. Sir, like in the case of pregnancy I do not believe that a 'little bit' of democracy can validly exist, and I suspect that the motives of those who so readily sacrifice their ideals for a more immediate gain in political status.

In his address to this Council on the 1984 Green Paper, the late Sir Edward YOUDE made the following comments which we all would do well to remember. He said:

'Our system of representation must give full weight to those interests of which our present position as a leading international, industrial, commercial and financial centre is based, and which are essential to our future prosperity. All this argues strongly that change should be progressive, that it should be tailored to Hong Kong's distinctive society and circumstances, and that it should be based on the well-tried systems which have served Hong Kong so well.'

For these very reasons I have been arguing consistently for a strengthening of the existing institutions rather than a jump into a new and experimental arena, for the development in representative government to be centred around a gradual replacement of appointed Members in this Council by representatives from functional constituencies—be they from the accountancy profession, or the travel trade, or the financial services—in other words, a choice of option (ii) in clause 82 and option (iii) in clause 88 of the Green Paper, commencing in 1988. Additionally, option (ii) of clause 95 could be pursued, allowing for additional seats from those electoral college constituencies which are particularly large or diverse in character. Such an increase should be balanced against the increase in the number of functional constituencies. And overall small increase in Council membership would of course result and should be acceptable.

Unlike direct elections, which must lead to adversarial politics, a system of indirect elections has the advantage of legislators will be drawn from sources that have traditionally been the backbone of society or have been relied upon by Government for advice, which are broadly based and have on-going organisational interests beyond that of merely producing candidates for the Legislative Council, and offer the platform for leadership for these candidates and a guarantee of the qualities required to be retained in this Council to give the full spectrum of interests, experience and vigour. This approach is also unlikely to create conflicts with the Basic Law drafting effort since it only refines and does not change the existing structure. It will also produce no real problems with the timing of reforms. Such a system might give a practical answer to the question as to the term of office for Legislative Councillors since as part-time legislators they will likely prefer a shorter rather than a longer service period. As to the voting system, I would favour the preferential elimination system for both electoral college and functional constituency elections. I have no strong views as to voting age but believe that it should reflect the age of adulthood stipulated in other legislation. The age of eligibility to be elected should however remain at 21 years.

As regards the Presidency of the Legislative Council, the option to be chosen should be seen in the context of the whole political structure. Given the premise of an executive-led Government existing after 1997, there should be no change. We are a city territory and the Chief Executive should be able to determine the agenda of business as well as keep his direct link with the Council. I would be particularly against the appointment of a person from outside this Council to act for the Governor as president, as suggested in option (ii) of clause 125 of the Green Paper.

Sir, I have less strong views on the options set out in the Green Paper for district boards and municipal councils although I accept they are also important. The Basic Law drafters have already decided that the three-tier structure should be maintained, so there seems little merit in analysing possible alternatives for change. I would however not favour to give district boards

the power to direct actions of government departments, as this would unnecessarily further complicate the relationship with the municipal councils and the central government and exacerbate the jealousies already in existence between the boards and the municipal councils. With reference to the elections to the Urban Council, I believe that option (iii)(a) of clause 62—that is the election of one representative of each urban district board—would provide a logical rearrangement and remove the anomalies now existing in the structure of the two municipal councils and assist in the grooming of future local leaders through work in the Urban Council. There would not necessarily have to be an increase in overall membership of the Urban Council if there was a proportional reduction in the numbers of both appointed and directly-elected members. Adoption of this option might also remove the need for a change in the committee structure of the Urban Council as discussed in clauses 68 to 73 of the Green Paper. It is pleasing to learn that there are few problems with the Regional Council and for that I would like to congratulate its Chairman, Mr. CHEUNG Yan-lung.

Sir, only time will tell whether the course we'll eventually be pursuing turns out to be the right one. I am no prophet but pragmatist and a democratic at heart—appearances notwithstanding—so if my arguments are not convincing I shall accept the verdict of the people as established by the Survey Office. I sincerely hope however that we shall embark on a development that Hong Kong will have no reason to regret in the years to come.

Sir, I support the motion.

MR. SZETO (in Cantonese): Sir, on the Green Paper I would like to make two simple observations today. Firstly, in 1988 there should be not less than 20 per cent of the seats of the Legislative Council to be directly elected. Secondly, the Urban Council, Regional Council and all district boards should in the next election have elected members constituting three quarters of the membership and appointed membership should be reduced to only one quarter.

Yesterday somebody said here that direct election is a two-faced God, and that the argument put forward by those who advocate it is a myth.

Here I must reply. Direct election is not a two-faced God. In places where direct election is already there it is a system participated in by tens of thousands of people. In places where direct election has not already been introduced, it is a system that people fight for, and rightly, with their lives. The argument put forward is not a myth. It is something proved by our past history. Also, it will again be proved to be correct by the history that is to come.

Once a doctor of philosophy who was in business challenged me. He asked what good would direct election do. Direct election brought about a president of little ability like Carter; it also brought about upheavels in the Philippines. In reply, I said the examples you quoted revealed exactly the advantages of direct elections. If there were no direct elections, such a president of little ability

would not have to step down. When he die, his son would take up the presidency; after his son his grandson would take up the presidency, and the post would be hereditary until the end of the world or the end of his clan. The upheavels in the Philippines were not brought about by direct elections. It was because direct elections had been rigged in the Philippines. Without direct elections, Ferdinand Marcos did not have to resort to malpractice. Without the discovery of his malpractice, he would not have to step down. He would still be there and be corrupt, and the number of shoes of his wife might well increase to 6 000 pairs.

We are now facing great changes in history. Without direct elections we would not have a democratic political system. Without a democratic political system the policy of 'Hong Kong people administering Hong Kong' cannot be genuinely practised. Without 'Hong Kong people administering Hong Kong' there will not be high autonomy. Without high autonomy we cannot realise the 'one country, two systems' policy. Without the realisation of 'one country, two systems' policy, it would only be one country, one system and then there would not be any stability and prosperity. Some people say that democracy is not equal to direct elections, and direct elections are not synonymous of democracy. But I can of course say that with direct elections we might not have democracy. However, without direct elections there is bound to be no democracy.

The democratic political system and direct elections have a very special characteristic. What are the advantages? This is not a myth; this is proved by the history of mankind.

Firstly, a democratic political system is the safeguard for human rights, freedom and the rule of law. Let us compare the different constitutions. The human rights contained therein are more or less the same, and they contain many different provisions. In places where there is a democratic political system there people can actually enjoy these rights. In places where there is no democratic political system these rights seem like castles in the air. Direct elections are the most basic political right. If we do not even have this basic political right, how can we safeguard other rights? Some people say that in the past Hong Kong did not have democracy, but then we did have human rights, freedom and the rule of law. Yes, this is true. However, such human rights, freedom and rule of law were bestowed by shame on the whole race. Right now the sovereignty would go back to our own country and would cleanse ourselves of this racial shame. Hong Kong people would be part of the masters of our own country, and more so, we should enjoy human rights, freedom and the rule of law protected by a democratic political system. Then we would not have these granted discretionarily.

Secondly, the political system, being the super-structure, must tie in with the foundation, which is the economy. This is the A, B, C of political economy. Capitalist societies must have a capitalistic political system. Let us take a look to see which prosperous capitalist society does not have a capitalist political

system. Some economically backward countries are trying to construct a democratic political system to strengthen the country, for example, the Philippines. In some countries that do not have a democratic political system, once the economy develops people want to fight for democracy, so that the political system will tie in with the development of the economy. A good example is South Korea. In China after many years of economic reform and in order to make these reforms penetrate, the reforms of the political system must be placed on the agenda. The economy, of course, affects the super-structure. However, the super-structure also affects the economy. A democratic political system is the impetus behind the development of our economy. Therefore, if we take economy or economic prosperity and use it to suppress direct elections and say that we would like to use meal tickets to oppose ballot papers, these arguments will not be able to hold water.

Thirdly, a democratic political system will certainly strengthen our sense of belonging and act for the internal cohesiveness of our society. That is the most important and effective way to implement civic education. Some people say that because we do not have enough civic education we have to object to direct elections. However, on the other hand they would not like to allow citizens to accept and receive civic education through direct elections. Actually, these people who advocate such arguments should receive some civic education because they take the public as fools. Yesterday somebody quoted the opinion poll conducted by a Kowloon City District Board member trying to indicate that the political and civic awareness of our citizens was very weak. I would advise you not to quote such things again because this opinion poll has broken a few world records. First, 3 000 odd questionnaires were sent out but you only got 52, not even 2 per cent, so the low return rate breaks the record. Second, since the return rate is so low, it cannot be regarded as valid in statistics. However, that gentleman dare publish it. The degree of his impudence also breaks a world record. Third, it has been quoted by so many people; also this would break a world record. Something that is more laughable: the results of the poll are said to object to direct elections.

Fourthly, a democratic political system can help to conciliate internal conflicts in society and to prevent aggravating such internal conflicts and help these internal conflicts to work according to the same principles to avoid further upheavels. I think if we do not use such methods stability only will be a phenomenon in the surface and then the conflicts will run in the undercurrent which would eventually become an erupting volcano.

Fifthly, this is the best way to transfer our sovereignty and rights peacefully. If we do not admit that people will get old and will die, this will be neither materialism nor dialectics. If power is hereditary or by simple appraisal, this is feudalism and not capitalism. So the best way to assure a peaceful transfer of power is direct elections.

The arguments against direct elections are always the same ones. The majority lack argument and have no logic, and sometimes contradict one another. Just now I have talked about the argument of economic prosperity and civic education. Now I would like to take up some points mentioned yesterday.

First of all that direct elections contravene the Sino-British Agreement. After the incident of the 'Outlook' magazine and the talk by Mr. KE Zaishuo this kind of argument should become insolvent. However, yesterday somebody tried to pursue it under a different brand. She tried to cite the last paragraph of section 13 of Annex I of the Sino-British Joint Declaration, which says: 'The provisions of the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights as applied to Hong Kong shall remain in force.'

Hong Kong is still a colony and the political right of universal suffrage as contained in the international covenant is said to be not applicable to Hong Kong by the United Kingdom. So it is still the case.

However, in the Joint Declaration the British Government has said the rights which have been recognised in the Joint Declaration will still remain in force. But it has never said that those which are not applicable now will never become applicable and said that Hong Kong will never be able to enjoy these rights. This provision actually was for the sake of safeguarding our rights that are already in force, but it did not say that rights not applied so far cannot be converted so that they will become applicable.

In order to object to direct elections people have used this clause in the Sino-British Agreement which in fact aims at protecting our rights in the international covenant, and distort it to say that all rights end here and they cannot be improved upon. I think this is really too far-fetched.

If you say that direct elections breach the provisions of the Sino-British Agreement, then in the Basic Law there would not be any direct elections. After 1977 there would not be direct elections. Of course, the Basic Law cannot contravene the Sino-British Agreement either. In the international covenants there are many labour rights stipulated, which are still not applicable to Hong Kong. These rights would never be enjoyed by the Hong Kong labour force. We see the end of our labour welfare and society would not progress any more.

The argument about convergence. People who object to direct elections in 1988 would like to cite this argument most. Would there be direct elections in the Basic Law? If yes, then there would not be any question of convergence even if we were to inaugurate direct elections in 1988. If there are no direct elections in the Basic Law, then there would not be any convergence. If the Basic Law did not provide for direct elections, then surely there would not be direct elections after 1997, because after 1997 the Basic Law will come in force. For those who say that if in 1988 there will not be direct elections, it doesn't mean that there would not be direct elections in 1997, then they are actually negating that there

would not be direct elections in the Basic Law and they are also negating the argument of convergence. The Basic Law has not been drafted. We do not know whether there will be any direct elections in the Basic Law. Neither do we know whether there will be functional constituencies or electoral colleges in the Basic Law. So why don't people say that electoral colleges and functional constituencies would affect convergence? People who cite this argument of convergence object to direct elections but they advocate increasing the seats of functional constituencies. Aren't they self-contradictory? The truth is, if you like it, there would not be any question of convergence. For those who do not like it, they would like to take this question of convergence to attack direct elections. I would like to ask those people who agree that direct elections should come only after 1990 this question: if the draft of the Basic Law to be released next year for discussion does not contain any provisions for direct elections would you fight for it? If you do not fight for it, and say that we advocate a postponement of direct elections, you are trying to cheat us. Those who object to direct elections after 1997 are just very few. Actually, over 95 per cent of the people agree that there should be direct elections after 1997. And in case there is no mention of direct elections in the Basic Law, would this Basic Law be acceptable to the Hong Kong people? Direct elections in 1988 and an acceptable Basic Law would not have any problem of convergence.

Then there is the argument of a gradual and progressive change. We have all heard about the 'cry wolf' story. Have we all heard about the 'cry sheep' story? The Chinese character for the word 'justice' has as one of its components the Chinese character for 'sheep'. Sheep symbolises good things. In the 1984 White Paper it is said that the majority of people advocate a small part of direct elections in 1988, and a large-scale election in 1997. This tells us that the sheep would come in 1988 in order to be gradual and progressive. This is our expectation. However, some people are telling us that the sheep will not come until 1991 or 1992, also for the sake of a gradual and progressive change. The 'cry sheep' story is a repetition of the 'cry wolf' story. Even a three-year-old child would not believe in it. Not to advance is to go back. If it is only going to be gradual but not progressive, then it would be a gradual regression. We cannot hold back the tide of democracy. Many people can see that. Some people say that if we cannot hold it back, we can postpone it. And postponement is the ultimate objective of proposing a gradual and progressive change.

Then the argument of efficiency. Some people say that democracy has no efficiency. Two years after we have elected people to the Legislative Council we have more meetings but have passed fewer laws. But can we look at the number of laws passed to judge our efficiency? Autocracy has the highest efficiency. One person says something and the whole of the country have to abide by it. However, when we look at efficiency we have to see whether we have done good thing, wrong things or bad things. Democracy, of course, can do few wrong things or bad thing. That is what we want by way of efficiency. If we do wrong things and bad things efficiently, then we are bringing in more catastrophe.



The argument of assessment. That is we have to wait for the assessment. We have already had elected seats to the Legislative Council for two years. Do we still need more time to assess it? In these two years, even if we had the question of Daya Bay nuclear plant and the Public Order (Amendment) Ordinance, which involved very fierce arguments, as well as the very unfortunate death of our late Governor, Hong Kong has gone on prosperously and in a stable manner. Isn't this a sufficient conclusion for us to base our assessment on? Also, if we want to wait and see, we would only be able to assess functional constituencies and electoral colleges, which are already in existence. What have these to do with direct election in 1988?

The argument against democracy as a weapon to resist communism. Actually, this is a hat made by some people and put on the heads of other people, and then the former scolds the latter. Somebody used a euphemism and said that direct elections could not be introduced for the purpose of showing colour to China. 'One country two systems' means that communism will not be practised in Hong Kong. If we were to implement this, then this policy itself is a weapon to resist communism. Why should we trouble democracy? Democracy is the ideal that can promote social development. It is not there to resist communism. Let us look back. Nearly 99 per cent of people who fight for introducing direct elections in 1988 today supported the transfer of sovereignty to China and championed for our racial interests during the negotiation period between China and Britain. But let us look again. Of those who were scolded for being colonial diehards at the time, how many of them are still advocating direct election in 1988 and how many are against?

On the question of increasing elected seats to the Urban Council, the Regional Council or district boards, I do not intend to speak too much. Just one word. Democratisation should be gradual and progressive. Not going ahead means to go back.

This will be the longest speech I have made in the Legislative Council. I must ask for your pardon.

Sir, I support direct elections in 1988 and I support the motion.

MR. TAI: Sir, the Green Paper lists all the possible and practical solutions relating to the three-tier system of government, and I have no doubt about the sincerity of this Administration to implement any changes advocated by the majority of the people of Hong Kong which are consistent with the spirit of the Joint Declaration. The silent majority should now clearly express their comments on the Green Paper so that the question of what form the future political structure should take can be resolved.

Following preliminary discussions with members of my constituency and community groups, the general consensus is that local opinion can be best reflected in district board, though a minority of the residents have some doubt about the impartiality of the appointed Members, whom they feel will be

inclined to support government policy. However, the majority have no strong objection to continuing with the present proportion of appointed Members. The reasons are: firstly, it achieves a fair balance of opinion and, secondly, appointed Members can avoid the sectoral pressure from particular interest groups and act in accordance with their own conscience and in the interests of the general public as a whole.

The two district boards which I represent and various organisations have scheduled to discuss the Green Paper in greater detail some time in August, and the views which I express today are principally my own but they also reflect in essence the general opinion of the two districts.

Most residents support district boards because they reflect the majority view of the local residents. The general opinion of most residents indicates that there should be no change in the present role of district boards, but they do feel that the extent of the advisory role they play should become more specific and that the District Boards Ordinance should be amended accordingly.

With regard to the advice district boards offer to the Government, the boards should, of course, appreciate it if their advice can be accommodated and acted upon. But if the advice cannot be acted upon for any reason, they would expect a reasonable explanation. The majority of district board members whom I represent favour being able to participate in the activity of the district management committee that handles most district affairs. They feel that there can be better communication between the executive department and district boards, which will lead to a better understanding of the administrative difficulties encountered in implementing some of the advice being given by district boards, and the reasons for certain administrative and executive decisions. Greater participation in this way would improve the calibre, efficiency and performance of district boards.

Sir, as to the Regional Council, they have successfully fulfilled the intended role after it was first established about two years ago. There is no immediate need to change its structure or operational arrangements and composition. However, some residents feel that there is a degree of duplication between district boards' and the council's role in certain recreational and social programmes. They feel that district boards should play a more important role in respect of minor local projects whilst the Regional Council should take a leading role in larger projects for the sake of better utilisation of resources.

Sir, the Green Paper has put too much emphasis on the Legislative Council without addressing the issue of the Executive Council. It seems to have failed to appreciate that the present political structure places real power in the hands of the Executive Council. Understandably, the Government has avoided making any reference to the Executive Council because it wishes to assure convergence with the Basic Law and that any changes should be carefully assessed.

However, if Hong Kong is to be administered by the people of Hong Kong, then the composition and function of the Executive Council should be the subject of review within the next few years.

Sir, I will go into a little bit of the New Territories politics. Hong Kong has evolved and developed rapidly since the 1950s. The substantial development and massive shift of population in the New Territories could not have been achieved smoothly without the contribution and constructive advice offered by the Heung Yee Kuk. Not only did the kuk fulfil its original objective as set out in the Ordinance in advising the Government on various social and economic developments in the interest of the welfare and prosperity of the people of the New Territories, but they have also played a constructive role in the formulation of land policies, advising the Government on matters relating to custom, tradition and usage in the New Territories. There has been no lack of effort throughout the years in its participation in various major projects in the field of education and medical services.

Sir, I have certain reservations about the statement in Appendix D which reads: 'The interests of the Heung Yee Kuk were represented through the Regional Council.' If one refers to the functions and objectives of these two statutory bodies, one can see that the primary functions of the Regional Council are statutorily limited, and that the functions are mainly concerned with environmental issues and recreation and so on, which vastly differ from the objectives of the Heung Yee Kuk.

Sir, in saying so it does not mean that the Regional Council is not doing a good job in serving the residents of the New Territories, but their scope of operation is rather limited. The importance of the kuk's continuous participation and contribution in the future cannot be overlooked. Their contribution in the past years has been highly praised by residents in the New Territories and it is the desire of my constituency as well as a number of other districts, such as Tai Po, Fanling and Sheung Shui, that the kuk's contribution deserves recognition by this Council and should be established as a constituency.

Turning to the point of direct elections, Sir, the question of introducing direct elections to this Council has undoubtedly been the main issue during 1987. Before making any decision regarding this issue one must answer two questions. Firstly, are direct elections good for Hong Kong? Secondly, when should they be introduced? To answer the first question, I believe that direct elections in principle form the basis of a good electoral system. Any eligible member of the public can be a vote under the one-man, one-vote system of universal franchise. Political equality can be best guaranteed under a direct election system.

As to the question of the timing of direct elections, I have strong reservations about direct elections to this Council in 1988, because this may be in great haste. This Council has experienced significant change just two years ago when 24 Members were elected from different functional constituencies and the electoral college. There has not been sufficient time for the full experience of this change

to be absorbed and assessed. Any further significant change should allow sufficient time for evolution and opportunity to better assess the present indirect election system result and the performance of the Members.

The public should also be given more time to assimilate the changes already made, as well as to consider the prospects of direct elections in the early 1990s. To attempt to introduce direct elections in 1988 does not give sufficient time for political parties or other associations to be effectively formed and good candidates to be chosen. Moreover, the remaining six months is insufficient for the different political groupings to prepare their platforms in order to convince the people that they deserve their support. Groupings and parties formed in such great haste would be immature and do more harm than good to the direct election system.

I should also mention here that a lot of the rural districts in my constituency have strong reservations about introducing direct elections in 1988. They feel strongly that it would be too hasty to attempt this in so short a time. I will stress, however, that the majority has clearly indicated that there must be direct elections before 1997 to achieve political equality, and I do not believe that pay cheques and political equality are mutually exclusive in Hong Kong.

As to the present three-tier system of Government, the interconnection of Legislative Council, Urban Council, Regional Council and district boards through the overlapping membership has promoted better communication and co-ordination among the different councils. It has encouraged members to participate at different levels of government, and to my knowledge, I have not yet heard any strong criticism about the three-tier system, and I feel satisfied that its operation is basically sound and harmonious. I see no urgent need to change this arrangement.

Lastly, Sir, turning to Your Excellency's Presidency of this Council, it is my opinion that there is no great urgency for any change of this aspect. There does not yet appear to be any better alternative and perhaps this issue should be given more consideration during the next few months.

Sir, I support the motion.

MRS. TAM (in Cantonese): Sir, the Green Paper is an important consultative instrument in the review of the developments in representative government. The way it is presented will directly affect public participation. Compared with the 1984 Green Paper, the presentation of the Green Paper this year is rather disappointing in certain aspects. It is tedious, confused and at times illogical. More importantly, Government has not fulfilled its duties, namely, to present clearly ideas on future development in representative government so that the public can give their comments and views. The professed principle is neutrality. Consequently the Green Paper resembles a questionnaire; the public are consulted on over 10 points and they have to make a choice among the multiple choices given. There is a total lack of an overall view. The political system is

an important issue. I do not believe there are too many governments in the world that behaves like the Government of Hong Kong, that is when confronted by the issue they look on with folded arms and put the responsibility on its people.

Of course, there are consolations; firstly, we have been repeatedly assured by government officials that this is a real and serious review. The Survey Office has been established, surveys and publicity are conducted on a large scale to back up the promise. I hope that the Government will really take the whole thing through and in deciding on the future development of our political system, it truly and fully respects the findings of the consultation exercise.

Sir, the question of direct elections is not the central issue only for this review of representative government. In the past two to three years it has always been a bone of contention. Enough has been said both for and against this. And even on the question of whether we should have direct elections in 1988, public opinion is clear. In the White Paper on representative government published in November 1984 it was stated very clearly that 'with few exceptions, the wealth of public response from all sources suggested a cautious approach with a gradual start, by introducing a very small number of directly elected members in 1988 and building up to significant number of directly elected members by 1997'. The Government also stressed that 'in preparing the White Paper the Government has recognised the need to keep in mind the provisions of the draft agreement on the future of Hong Kong and the plans have been framed accordingly.' When we conduct the review this time, the Government should make this fact clearly known to the public. Unfortunately, this has been omitted in the 1987 Green Paper.

There are people in our society who are worried that to have direct elections in 1988 might be in breach of the provisions of the Joint Declaration. Since Britain and China are the signatories to the Joint Declaration, they should know best the original intention in the provisions, whether direct elections in 1988 is in breach of the Joint Declaration and infringes upon the sovereignty of China is a question that can only be answered by China and Britain. Up to this point, the Chinese authorities have not officially announced that direct elections are in breach of the Joint Declaration. In this Green Paper, the Government of Hong Kong states very clearly that this political review including the question of direct elections has taken fully into account the terms of the Sino-British Joint Declaration on the question of Hong Kong. Since neither of the two signatories has officially queried this point, the Hong Kong public, being a third party, need not worry.

Besides some are worried that direct elections in 1988 will lead to problems of convergence between representative government and the Basic Law. This is only half true. The political system in Hong Kong in the pre-1997 and post-1997 eras is to be decided on by Britain and China respectively, according to their own ways. Therefore it is possible there might be a problem of convergence

between representative government and the Basic Law. However, the other half of the truth is that such an adverse situation can be avoided through the efforts of the two Governments. The question is whether the Governments are willing to co-operate using as their basis the wishes of the people of Hong Kong and making use of objective advantages to make suitable arrangements.

Direct election in 1988 is not the crucial point to political convergence, and to forcibly freeze political development already started is in no way an ideal or reasonable way to solve the problem. I therefore think that when we consider the 1988 direct elections issue, we should concentrate on the political principle, that is the introduction of direct elections advantageous to Hong Kong society in the long term? If the answer is yes—then is 1988 the appropriate time for its introduction? At the moment, most people agree that by 1997 there should be directly elected seats in the legislature. Very few people would argue this point. The difference lies in when it should be introduced. We know in relation to anything new, the greatest and most important step is the first one. To gain time we should introduce that as early as possible so that we can have more opportunities to perfect it. The same is true of direct elections. When we have established a principle, we should take this important step as early as possible so that we will run the least risk. This is advantageous to our society as a whole. We all know that in 1997 the executive part of the Hong Kong Government will inevitably undergo changes and if we have great changes in the legislature at the same time, it cannot be beneficial to the smooth transition of Hong Kong. Direct elections therefore must be introduced prior to 1997. We all know that the closer we are to 1997, the more sensitive we get and the less we can afford changes and mistakes. We also know that in 1987, everything is going well in Hong Kong and we can expect this to continue in 1988. However, none of us can predict whether in the 1990s Hong Kong will still be able to maintain this situation as in 1987 and 1988. If the introduction of direct elections is an important step, then it is equally important whether we do it in 1988 or 1991. However, if we do not do it in 1988 when social conditions are still good, we may be missing a golden opportunity. And if we introduce this at a later date, we will have to run higher risks detrimental to Hong Kong's stability and prosperity. We must remember that the target of our political development is that we will have in 1997, when Hong Kong people will be administering Hong Kong a representative and authoritative Government that is established by a democratically election system. In this way it will be trusted by foreign countries and by the people and will be able to attain its potentials for development. I therefore support direct election to a certain degree in 1988.

There is another point that is worthy of note by members of the public, particularly by young people who will be masters of our society. This is the question of whether the age of entitlement to vote should be lowered. In fact, earlier on when the Law Reform Commission was considering the validity of civil law on young persons, the commission stated that when the age of majority is lowered to 18 for other matters, they saw no reason why voting

should be made an exception. However as this will have political and constitutional unapplications, it has been included in the Green Paper for wider consultation.

The people who are against this usually do so for two reasons; firstly they worry about quality. Many think that young people are not mature enough mentally and intellectually; they have little experience in society and lack civic education. They usually lack political sense and enthusiasm. Even if they are given votes, they will not be able to cast their votes sensibly. Secondly, they are against it because it is pointed out that in recent years the turn-out rate for young people has been low. If we further lower the age of entitlement to vote, it will immediately increase the number of eligible electors by 250 000 and further decrease the turn-out rate. The development of a democratic political system could be further affected.

However, judging from the experience overseas and the actual situation in Hong Kong, the arguments given above are questionable. Firstly, regarding the worries about the quality of young voters, the doubts about their interest in politics, their knowledge and their experience—this in fact is equally applicable to older people. If we only give the right to vote to people who are politically knowledgeable, and enthusiastic, then I believe many Western democratic systems would collapse. In fact, the success of democratic systems does not depend on whether individual voters can cast their votes rationally. It does not guarantee that the people elected are the best. What a democratic system guarantees is that those responsible for governing are at least of certain quality. What is more important is that he will not be dictatorial and ignore the interests of the public. Therefore at present most democratic countries have a very simple method regarding the age of entitlement to vote. When a person reaches an age at which society deems him capable of shouldering the general responsibilities of an adult, for example, getting married, joining military service, then he would be given the right to vote. In other words, the age of entitlement to vote is the age of majority stipulated by civil law.

To view it from another angle, it is not true that young people are totally ignorant about society. The Law Reform Commission report points out that 64 per cent of our 18 year olds in Hong Kong are already working and 80 per cent of our 19 years olds are employed. To say that young people between the ages of 18 and 21 lack social experience is incorrect.

Then, the question of it adversely affecting the turn-out rate. The low turnout rate of young people is not peculiar to Hong Kong. It is a common phenomenon in all democratic countries in the world, particularly in countries which have just lowered the age of entitlement to vote. However, what is worthy of note is that the turn-out rate will climb again very soon. Let's take the example of the USA. In the 1968 election the turn-out rate of electors aged from 18 to 20 was only 33 per cent. However, by 1972 it had climbed to 48 per cent. From this we can see that the lowering of the age of entitlement to vote,

thus allowing more young people to vote, not only gives young people their civil right but also through participation allows them a clearer understanding of civic responsibility and its practice. We are now promoting civic education and asking young people to become actively involved in our community. If we on the other hand refuse to give them their right to vote, we are actually contradicting ourselves.

In fact, even if there is an increase of 250 000 in the number of eligible electors, in the initial period only about 130 000 will register, coupled with the fact that these young people who have different backgrounds and interests, will not be able to form a force affecting the outcome of our elections. To sum up, the lowering of the age of entitlement to vote is not only in line with our principle of priority, it is 100 per cent beneficial.

Sir, one third of the consultation period has passed. Perhaps some members of the public might still think that their views are of no consequence and have no intention of expressing them, but I would like them to know that the Government in fact in this particular review has shouted itself hoarse in showing that this is a genuine and serious review and the Government will fully respect public opinion. It has also taken steps to show it is determined to collect views from the silent majority. Public opinion plays a very important part in this review. On the other hand, even if the public feel that public opinion is of no consequence they should not remain silent. If all feel that the development of political systems is important and yet the Government still ignores public opinion, that is all the more reason why the people of Hong Kong should fight for their own interests and dignity. I would like to urge the people of Hong Kong to treasure the opportunity and make use of the time we still have to give their views on the Green Paper.

With these remarks, Sir, I support the motion.

MR. TAM (in Cantonese): Sir, we have had two days of debate and we have almost come to the end of the debate. Three speakers will speak after me before the conclusion. There are merits and demerits in speaking towards the end. The merits are that we can respond to other people's views and we would not have so many people criticising our views.

Now, back to the main issue; in 10 years' time when the transitional period is over, Hong Kong will be returned to the arms of China from a colonial government. I think this change would make a lot of Hong Kong people feel glad, but other than that, will this change imply other more in depth, and more fundamental changes? I believe that the colonial government system should be changed and it should be replaced by a system which allows democratic management by the Hong Kong people themselves. Democratisation is the road on which we should walk and must walk. We should walk on it as it expresses an ideal of government by the people and we must walk on it because today in the 1980s considerable experience from other countries have already pointed out to us very clearly that democratisation is a natural development for many societies.



As someone from the labour sector, I find democratisation in Hong Kong even more meaningful. In the development in the past decades, our workers have contributed much to the prosperity and stability of Hong Kong but for a very long period of time their interests have not been given due recognition. During this very long period of time even their basic rights have not been safeguarded. So this leads us to understand that we must fight for our political rights, carry out our political rights and only by doing so can we ensure that our rights will not be infringed upon. And so I can say for certain that participation in political affairs is important for the labour sector.

As to whether we have the conditions for developing a democratic government, there are people who have doubts about this and I have the following views in response to these worries and doubts. Since Hong Kong has been governed by a colonial government for many years I admit that the Hong Kong people do not have a very high level of political consciousness. There are a lot of people who are apathetic on political issues but you cannot say that the educational level of the Hong Kong people is low. So we should believe that we have a certain foundation for developing democracy and I am sure that as we practise democracy we will be able to see a continued enhancement of our political consciousness. Of course we have to pay a price in time and also in monetary terms during this process and I think under the principle of equity this price is worth paying. I am sure that as long as we can have a strong team of high calibre public officers, we can have an efficient civil service system and be able to have a very stable social development. As for the relationship between democratic government and economic development, there are a lot of different views concerning this. I support the idea that in engineering our future political system we should give due recognition to these ideas. In conclusion I think that if we can attach enough importance to all these issues, then we need not be too worried about implementation of democratic government in Hong Kong.

And what about the relationship between the democratic government and direct elections? In my opinion, direct election is widely adopted in many countries which have a democratic government and we have no reason to singularly exclude this form of election. I support democratisation in Hong Kong and I also support that direct election should be adopted as a form of election of our future Government.

Now, I will give my personal comments concerning the question of whether we should have direct elections in 1988. During my deliberation of this question, I asked myself one question: 'is 1988 the best time to implement direct election?' We all know that the Basic Law which is still in the process of being drafted will decide our future political system. So political changes should be made according to the provisions of the Basic Law. We all know that a comprehensive political system does not just include the constitution of the Legislative Council. It includes the duties of the legislature, the executive authorities and judiciary, the relationship among them and also the relationship between the central government and local authorities. And so if we are going to talk about political

development and if we want to develop a comprehensive political system, we can't do that just by adopting one or two different kinds of election and I think what we should do is to draw up an outline plan according to our final objective and then proceed with gradual reforms systematically. Only by doing this can we make sure that all these components in the political system will be compatible and we will not let the content of this reform become obstacles for the next reform. So I think it would be more ideal for us to have major political changes after we have the Basic Law. Because of this I think that 1988 is not the best time for implementing direct election.

Just now I said that I had considered this question from the angle of whether 1988 was the best time; at the same time I also considered it from another angle. I asked myself another question and that is—'what defects we will have if we do not have direct election in 1988?', because I believe if we can consider this question from different points of view, we will be able to arrive at a more objective conclusion.

Some people suggested that if we do not have direct election in 1988, there would be a collapse of confidence among the Hong Kong people. I think we should attach due importance to this view. But among all the arguments given I can see no strong evidence to support this view and personally I think that this opinion may be too arbitrary. According to my observation and my contacts with the Hong Kong people, it seems to me that the Hong Kong people pay more attention to whether the Chinese and the British Governments can work under the spirit of unity and mutual understanding. They think that this question is much more important than whether we have direct election in 1988.

Other than that, some people are worried that if we do not have direct election in 1988 we would not have direct elections ever after. I think people may hold this view because they have doubts about China's sincerity in allowing direct election in Hong Kong. First of all, personally from my contacts with people from mainland China, whether in daily contacts or whether in the Basic Law Drafting Committee, they give me the impression of being very liberal. They have already accepted that direct election is one form of introducing democratic government and they do not think that the question of direct election is really very serious. Moreover, the Chinese Government has been most liberal in its attitude towards the Joint Declaration and so I feel very optimistic about China's attitude towards direct elections.

Here, I will briefly summarise my views concerning direct election. Theoretically, I support incorporating directly-elected elements in the future democratically elected system but 1988 is not the best time for implementing direct election. I think that after the publication of the Basic Law, we should start to have direct elections after 1991, according to the provisions of the Basic Law.

Now, the Basic Law is still being drafted and during this process I will actively strive for the inclusion of direct election within the political system after 1997. So Mr. SZETO, please rest assured.

Of course, I understand very well the anxieties of the people who would like to see democracy being implemented here because I am also in support of democracy, but in order to see a more ideal plan of implementation, I am willing to be patient. Since the Basic Law is being drafted, I am sure we still have a lot of worthy tasks to take up. For example, we have to see how the political system after 1997 is to be engineered and I think everybody concerned about political development should pay attention to this question. And also we need more time to assess the performance of elected Members in the Legislative Council because they have just become Members for only two years.

Finally, I think that it is only right for me to maintain a neutral stance and to encourage the Government to discuss this with the people, to collect their views and then publicise the views. I hope that the Government will really collect worthy public opinion and I think we should pay particular attention to the silent majority and people who do not always show up on television. I think that it is very important to have facts and have rational discussions. Only by having factual and rational discussions can we enhance the citizens' knowledge about the political system. I think the Chinese and the British Governments should talk about the direction and the progress of democratisation in Hong Kong through diplomatic means. We should work under the spirit of mutual understanding. If we do so, I am sure we will be able to find a satisfactory solution.

With these remarks, I support the motion.

DR. TSE (in Cantonese): Sir, we have been debating this for two days. The 40 odd Members of this Council have already expressed their views incisively and vividly on the Green Paper on the 1987 political review. Therefore whatever I am going to say will certainly not be very innovative. However, there is one special point; being the only Legislative Councillor who is also a district board member and a Member of the Executive Council, I have this privilege to be able to express opinions on the Green Paper from three different angles.

First of all, for the Kowloon City District Board, after the release of the Green Paper on 27 May, under the leadership of the chairman, Mr. WONG Sek-kong, the district board held two meetings in camera and discussed and provided reasons for the different options proposed in the Green Paper. Before and after the meetings we conducted two opinion polls. The results showed that the options arrived at by the district board members were more or less the same for both times. It is only on sensitive issues we have clearly indicated views. For example, on the question of direct election, we have 28 members in the district board—four of them were out of town and one did not participate in the discussion. Among the remaining 23, three thought that direct election were not

desirable. Nineteen agreed that there should be an element of direct election in the Legislative Council in principle but it should not be in 1988 and only one advocated direct election in 1988. As to the relationship between the Urban Council and the district boards, the unanimous view was that we should abolish the ex officio seats of Urban Councillors in district boards partly or wholly. Also, all district board members advocate that the Governor should still be the President of the Legislative Council and that district boards should still only take up an advisory role and not an executive role. Apart from the two meetings held in camera, the district board in order to understand the grass roots opinions better has already planned that there should be an open meeting by the end of August and we will invite area committees, kai fong associations, as well as leaders of voluntary agencies in the district to participate so that they have a direct channel to express their views.

Throughout the process of discussion of the district board, I have always tried to be neutral, so that district boards can arrive at their own selection of options coolly, objectively and under their own control. Now, they have already made known their stance so I can also express my own views as a Legislative Councillor here.

On the whole, I think that the political system of Hong Kong has already made a big leap forward in 1985. The pace of reform was three years ahead of the concept proposed by the 1984 Green Paper. As regards the reform in district boards, we abolished the official chairmanship and official members and also the ratio of elected members and appointed members became 2:1. Also on this basis we have elected 12 representatives to the Legislative Council. At the same time we inaugurated the first and foremost election by functional constituencies and 12 Members were returned to the Legislative Council. Moreover, the number of Official Members was reduced from 18 to 10. Now, this series of see-saw changes not only increased the number of Councillors by 20 per cent, but it also introduced 43 per cent of elected Members once and for all. Therefore, whatever rule you take the 1985 political reform cannot be regarded as piecemeal. Until now we still have not been able to absorb the shock of this change nor have we already taken care of the additional executive problems because of these new circumstances. I believe the government departments involved can feel the effects much more than we Councillors who are privileged to speak our minds freely. So after this big leap forward, if we have not settled in and experienced the results and then jump another big leap forward, then I am afraid that the government departments involved will not be able to cope with this. We should think twice and therefore, even though I agree there should be an element of direct election for the Legislative Council in principle, I still cannot support that direct election should be inaugurated in 1988.

Another reason why I cannot support direct election in 1988 is that personally I would like to look at the practical problems faced by the Chinese and British Governments. From the point of view of legal principles, I fully agree that the options in the Green Paper do not breach the Sino-British Agreement

and even direct election does not breach the agreement. However, I must admit that passive non-deviation is one thing; active co-operation is another. I think nobody would object that the concept for Hong Kong's future must be based on the Sino-British Agreement and the Basic Law would be the most important document for the realisation of the provisions of the Sino-British Agreement; the policies of 'one country, two systems'; 'high degree of autonomy'; 'maintenance of the present way of living'; '50 years of no change' and so on, as well as the future SAR political system would all have to be stipulated by the mini-constitution for Hong Kong to be promulgated in 1990. Therefore we cannot overlook the important status of the Basic Law in our political reform.

As for the Chinese Government, they have established the Basic Law Drafting Committee and the Basic Law Consultative Committee in order to come up with a constitution for the future of Hong Kong which is acceptable to both parties. To China, Basic Law is not only a legal guarantee for its commitment for Hong Kong's future, it is also a legal sign of Chinese sovereignty in Hong Kong. According to this view perhaps we can understand why Chinese officials are willing to risk the accusation of interfering with Hong Kong's political system and remind Hong Kong people once and again that when we take a direction of political reform in Hong Kong, we cannot jeopardise the status of the Basic Law.

Now, let me go back to the issue of direct election. The Chinese leaders when they emphasise the important status of the Basic Law have also indicated many times that they were not in opposition to the idea of direct election. On the contrary, according to the statement made by the chief Chinese representative on the Joint Liaison Group, Mr. KE Zaishuo in London last week, if direct election is taken as part of the process of democratisation, the Chinese Government would also support. However, he hoped that 'those who advocated direct election would not do this foolheartedly and recklessly, but should wait for conditions to mature and especially after the promulgation of the Basic Law'.

If we emphasise Mr. KE's words, together with the importance the Chinese Government attaches to the Basic Law, then it will not be difficult to understand the question we are faced with is not one of, as somebody has put it 'either we have democracy now or never'; it is rather whether we are willing to accept the paramount importance of the status of the Basic Law in the cause of our political reform. If this analysis is correct, we will have to ask ourselves: if we want to implement direct election mandatorily in 1988 and pre-empt the Basic Law, then what are the prices that we have to pay for these adversarial politics? On the contrary, if we want to implement direct election after the promulgation of the Basic Law, what irreparable losses would Hong Kong suffer? If we honestly and sincerely analysed the answers to these two questions, then we can come to a decision more easily.

I do not need to remind you again here and you will understand that the present political arena in Hong Kong is complicated as well as sensitive. Hong Kong is not an independent sovereign state. It is not and it will not be. Though I am not a trained politician, from simple analysis based on common sense, I can see if we do not have the active goodwill and continued assistance of the sovereign state, to realise the policies of 'one country, two systems', '50 years no change', 'a high degree of autonomy', would be quite impossible for Hong Kong and it would be a path beset with difficulties. If from the outset we adopt an attitude of resistance of course we can be happy and proud for a moment. However, for 5 million odd Hong Kong people, can such an attitude add to their confidence in Hong Kong's future or would this rather make them put their hearts in their mouths? Now, at this juncture, I must first declare that I have reservations regarding confrontational politics but it does not mean that I advocate resigning oneself in adversity. I think that if both parties can analyse the present situation, with a cool head and also put ourselves in one another's shoes, then actually we can come to a fair solution with a friendly manner. For example on the question of direct election, if China were to understand Hong Kong people's desire for democracy and then come to a decision regarding the legislature and its composition, and if Hong Kong people were to appreciate the fact that China is the sovereign state, and if we were prepared to wait for some time and use the interim period to promote civic education so as to give a good foundation for direct election in the future; this coupled with the international political negotiation experience of the United Kingdom Government, certainly we will have an ideal and satisfactory solution. Therefore for the sake of our long-term interest, for the sake of our international reputation, and national pride, I would like to appeal to the British and Chinese Governments as well as to the Hong Kong people, that for the arrangement for Hong Kong's future, please do try to put ourselves in another's shoes and adopt a fair set of criteria and please try to co-operate with one another.

Finally, I would like to say something regarding the attitude I have adopted as an Executive Councillor. Now since the Executive Council would be responsible for assessing opinions from the public, some people are dubious as to whether the Executive Council can remain neutral in this issue. I can give an advance guarantee to the people of Hong Kong. Though I have my own views on many questions, as far as the result of the assessment of public opinion is concerned, certainly I would not let my own opinion distort public opinion. At the same time I would not pretend that my own opinion would be the opinion of the majority of the people of Hong Kong. In this regard I believe every Executive Councillor official or otherwise does practise the same set of conduct; so Hong Kong people can rest assured. I would like to mention in passing that in the past an Executive Councillor has once spoken on the political reform in Hong Kong and was criticised. Some people were of the opinion that the Executive Council had already arrived at a tacit understanding to object to direct election.

However, after listening to Mr. Allen LEE, I think such unfounded accusation would bring about its own destruction.

With these remarks, I support the motion.

MR. ANDREW WONG (in Cantonese): Sir, first of all thanks to Mrs. Pauline NG. She used a Chinese idiom which is related to a story. In the story, a farmer raised a seedling by several inches up the soil, thinking that he is helping the plant to grow. Now, this reminds me of another story in Chinese, that is: 'A person stays near a tree hoping that a rabbit will dash against the tree. In that case, the person can take the rabbit home'. Now, these stories have stood the test of time; therefore, the morals behind the stories will be applicable to Hong Kong nowadays.

Now, having heard the speeches made by my colleagues today and yesterday, I believe all the more in the points in the stories. They are most appropriate to the situation in Hong Kong indeed. Many Councillors have expressed the attitude of lifting a seedling, or the attitude of waiting near a tree for a rabbit to dash against the tree. Some may waver between one attitude and the other, or some may even have two attitudes; most contradictory indeed. I, myself, am probably no exception.

I do not want to criticise or comment on the speech of each and every of my colleagues. Otherwise we will not be able to have supper with Mr. FORD tonight.

Other than Mrs. NG, many Councillors also made use of the terms: gradual progress, slow progress, steady progress, and so on. I agreed to all these concepts but this is not an easy concept to grasp and if you are not able to grasp it, you may go astray. Whether it is social, economic or political institutions, they are mass institutions. They are man-made institutions not artificial institutions. Neither are they natural institutions. If we treat them as artificial institutions, then it is just like building a house, or just like trying to lift a seedling, thinking that you are helping it to grow. The result is like trying to change the nature of mankind to adapt to the artificial institution. If we treat the institutions as natural institutions, we will treat them as if we are growing plants. We give the time for the plants to grow, letting nature take its course. So it is like waiting near a tree for the rabbit to dash against it. If we treat the institutions as man-made ones, then we will change from taking no action to taking some action without overdoing it. My point is, first, reforms are inevitable because changes are inevitable and the world is changing. Secondly, reforms cannot be implemented according to laid-out plans all the time. Thirdly, reforms must be undertaken in the directions to which people agree, or at least the directions are not strongly opposed by others. We will have to do so by trial and error.

Sir, many people talk about public opinion and direct election in 1988 because they say if the people of Hong Kong ask for it, then we should have direct election in 1988. I originally wanted to say something about public opinion but it will take a long time for me to clarify my point, so I will just illustrate one point. If there is strong demand for direct elections in 1988, just because we want to maintain stability and prosperity in Hong Kong—even though those who are in favour of direct election in 1988 are just over 50 per cent of the people, then we should introduce direct elections. I agree to what Dr. TSE said, that is: we should put ourselves in the shoes of others. Now, we should look at the reasons as to whether we should have direct election or not. Now, we know that different people have different degrees of intelligence, so we must speak our mind.

As early as 27 November 1985, I stated my stand, that is: I am in favour of direct election. I made two points. First, only through elections can we change the Legislative Council peacefully. And the more direct the elections are the better, because direct election will ensure that there is peaceful change. Of course, elections must be free from corruption or other kinds of manipulation, otherwise it will be pointless. Secondly, if we have direct elections, under our representative government, then people will have a degree of participation and their civic consciousness will be raised. Now, if we are to wait until a very late stage to introduce direct election, it is not correct. I did not say that we should have direct elections in accordance with dogmatic principles but I would say that we should have some direct election today. My reasons are simple. After the signing of the Joint Declaration, we know that throughout the world, whether it be the central government or the district government, there will be direct election. The National People's Congress in China is also constituted through direct election. So if there is demand for direct election, we should introduce it. For direct election, it is always better to introduce it earlier rather than later. And of course, in turn, it is better late than never. But if we are late, then there will be damages. The confidence of the people of Hong Kong and their credibility will be damaged.

Sir, for those who say that direct elections should not be introduced in 1988, or for those who have reservations on direct elections in 1988, well, their arguments are full of errors. For example, they say something about political consciousness, or about confrontation of politics. I do not want to criticise these comments one by one, but I wish my colleagues to study the speech made by Miss DUNN. Miss DUNN called on us to be careful in considering when to introduce direct election. But in the 17 paragraphs of her speech in which she mentioned elections, she made three points which are related to direct election. But in some eight other paragraphs she illustrated that the points made by those who are not in favour of direct election are erroneous. I would like Members to study this speech which is extremely well-written and hits the nail on the head.

Sir, the scope of the Green Paper is most comprehensive and the options are many in number. Many Councillors, such as Miss TAM, have said that there are



too many options; people may be confused. I think that we are overworrying on this point. In fact, members of the public can choose the area with which they are most familiar and then comment on it. In fact, for speakers who have spoken today, or who spoke yesterday, they did not speak on each and every aspect, neither do I want to do so. I would just like to say something on two categories of Legislative Councillors. Before that, however, I would like to say something about the ministerial system, and the arrangement whereby you, Sir, are the President of the Legislative Council. Also, I would like to talk about the three-tier system in Hong Kong.

I feel that in Hong Kong, government officials at the Secretary level should gradually be replaced, so that they will not be filled by civil servants. And also, Sir, you should not remain as the President of the Legislative Council. I have made my points in past meetings—you can check on the official record.

In 1988, regarding whether we should lower the voting age to 18, well, I agree to it. If a person aged 18 is in control of a company, for example, then he can elect candidates to the Legislative Council to represent the commercial sector. So, why is it that people under 18 should not have the power to vote in elections to district boards, municipal councils and this Council.

Now, to go back to the central theme. Many colleagues gave all sorts of praise but not any criticism on functional constituencies. It is most strange. If there is an addition in the number of functional constituencies, many Legislative Councillors will have vested interests. Now, when we talk about functional constituencies, there are major problems in my opinion but I do not want to go into details about this. Nor do I object to the existence, or even to the addition of seats, in the functional constituencies. But I want to sound a note of caution. Functional constituency seats should not account for more than half—in fact it should not account for more than a quarter—of the seats in the Legislative Council, otherwise the Legislative Council structure would be unstable.

Sir, functional constituency seats have their functions to perform in the transitional period. Even in the 50 years after 1997 they will still be needed. They have two functions to perform actually. Firstly, to provide the expertise. Secondly, to take care of some interests. The principle is that if such interests are not taken care of, it may be detrimental to public interest. The big question is: What is a functional constituency? When the 1984 White Paper was published I offered a solution, that is: the Government should state plainly and frankly that it is necessary to accommodate certain professional groups and special and important interests. It was fashionable to call them functional bodies rather than functional constituencies and therefore, I suggested that the stress be put on the word 'bodies'. In fact, now we have two seats for the commercial sector; one is monopolised by the Hong Kong General Chamber of Commerce, the other one, Chinese General Chamber of Commerce. The industrial sector, too, has two seats and again, is represented by two bodies. Therefore, indeed, the stress should be put on 'bodies'. I would also like to reiterate my proposal that

the New Territories Heung Yee Kuk which is representing the indigenous villagers should be given a seat within the functional constituency in 1988. This should have been done in 1985. Sir, I am merely their consultant; I am not a member. When I make such a suggestion and if I have to declare my interest, then I will gladly do so.

Sir, there are a lot of colleagues, including Mr. Allen LEE, who have said that when we have direct election it will replace the electoral college, the point being, double representation. Of course, if we consider the concept of equality, then this is a problem. However, functional constituencies and direct election coexisting will pose the same problem, because again we do not have parity there. Now, I believe Mr. LEE and other Members, for instance Mrs. Selina CHOW, are worried about the question of operation. Let's look at the experience of the Regional Council which is rather young. We do not see any major problems of operation. Now, you know that in the Regional Council we have both directly-elected and indirectly-elected members. We are now being pragmatic and have boards and committees at different levels. Directly-elected members represent the people. Indirectly-elected members represent local matters. Therefore, there is no question of double representation. Besides, very often the boundaries are quite different. Similarly, if we take Mr. Hilton CHEONG-LEEN's suggestion and have multi-seat constituencies in 1988, then we will not have to worry about double-representation because in one big constituency, we will have different districts. So perhaps Mr. Allen LEE or Mrs. Selina CHOW is having other worries.

Sir, I support the maintenance of the electoral college and I will go one step further. I think that the members returned from district boards should be increased and it should be more than 10. One Legislative Council seat should be returned by one—and no more than two—districts. For example, Mr. POON Chi-fai thinks that one councillor is appropriate. Well, Mr. POON represents one district, while Mr. LAI represents four districts, so the work is rather heavy.

Now, yesterday Miss TAM put a verbal 'false bomb' in the Chambers so to speak. I welcome this 'false bomb'. It is much better than the 'bomb hoax' at Sha Tin Railway Station, and, of course, much better than the real bomb in City Plaza, and the one at Queensway Government Offices. Now, Mr. FORD may not have an easy time, unlike yesterday. He cannot get away with just a statement saying that the Government or the police will give high priority to the case. This time Mr. FORD will have to dismantle the bomb himself.

Why did I say that Miss TAM's statement was a false bomb. If her statement was correct, the power of the bomb will be much greater than the bomb dropped by Mr. LI Hou when it was rumoured that direct elections would violate the spirit of the Joint Declaration. Miss TAM did not even mention the word 'spirit'. She just said that it would violate section 13 of Annex I of the Joint Declaration.

I discussed this point with Miss TAM some time ago. The question was well asked but we must be very careful. I feel that direct election does not violate the Joint Declaration.

First, when the International Covenant on Civil and Political Rights was signed, some countries reserved the right of not invoking certain articles in the covenant. But it does not mean that they have lost the right to invoke the articles. I have talked to Miss TAM about this.

Secondly, after signing the covenant, the signatories have not only the power but also the responsibility. There are two sides of the coin, so to speak to practise all the articles in the covenant. Of course, it will be best to have as few articles on which there are reservations as possible. Just imagine if all the countries in the world signed the covenant, but have reservations on all the articles, and all these articles are not practised, then it will be most ridiculous. In 1968 when Britain signed the covenant, Britain retained some reservations on some points regarding married women, equality between male and female civil servants and so on. So Britain reserved the right not to invoke certain articles. But now, the Civil Service has been changed; there is no longer any discrimination against female civil servants now. I have not talked about this point with Miss TAM. But I believe even though Miss TAM is unmarried and she has no intention to become a civil servant, she would agree that this is in the spirit of the international covenant.

I now come to my third point. In section 13 of Annex I of the Joint Declaration, it says that the covenants that are applicable to Hong Kong now will continue to be applicable to Hong Kong in future. Regarding 'applicable to Hong Kong', it means all the articles that are applicable to Hong Kong before 1 January 1997, including certain articles on which the Hong Kong Government have reservations. The second sentence of section 13:

'The Hong Kong SAR Government will retain the rights and the freedoms stipulated in the Hong Kong Law.'

Once again, it refers to all the stipulations that are in place before the 1 January 1997. Otherwise, between the period 1984 when the Joint Declaration was signed, and 1997, there will be no new legislation to be passed. In that case, should all the matters whether they be important or not be referred to the Basic Law Drafting Committee, Basic Law Consultative Committee and NPC to decide.

Sir, when I started I said that the economic, social, political and legal systems for the community are artificial. By artificial I mean that whether the system progresses, regresses, and whether it is healthy or sick, is affected by the action of every person and every member. Therefore, we cannot shirk responsibility. We should not be self-righteous because we may make the wrong judgment, because we are all fallible, and we may think that we are in adverse circumstances. Some may think that this is right and something should not be done,

and that is the reason why we do not try, and then we give up the fight. In one of the matches in the World Cup tournament, the winning team actually won by strong morale and will power. And since most of us feel that there should be direct elections, why can't we persuade China to introduce it. Perhaps it can put itself in our shoes. We can try and fail, but we should not give up the spirit to fight again, even though we may have failed. Then 1991, 1997 or 2047—may have come and go, and direct elections will still be out of sight.

Let me give you two stories. We have a system for our community. It is just like a painting. If it is done badly—what should we do? Should we throw it away? Then we would not have anything on the wall any more. Therefore, we will have to paint over the painting that we do not like. It is just like sailing in the big ocean. Sometimes we do not like certain places, then we do not go there. So I think we should take it piece by piece. We cannot have one blueprint and then dismantle the whole ship before we can reassemble it, because that is something that can only be done by God.

Sir, I support the motion moved by Miss DUNN and I support most of what she has said.

MR. LAU (in Cantonese): Sir, ever since the publication of the 1987 Green Paper on the Review of Development in Representative Government, the response from the general public has not been enthusiastic. However, recently there has been a lot of debate on the question of direct election. Since many of my colleagues have already expressed their views on this issue, I do not want to dwell on it any more, and I wish merely to make a few personal observations about the Green Paper.

(1) Even though this review will be conducted within the framework of Hong Kong's existing constitutional arrangement, it is silent on the structure of the Executive Council. I think this is rather illogical. The political system of Hong Kong has always been based on the Governor, the Executive Council, and the Legislative Council. As far as the central government is concerned, the relationship between the three is extremely close. Superficially, the Executive Council is not part of our representative government, but in reality the Executive Council and the Legislative Council are inter-dependent. If the Government does not first clarify the structure of the Executive Council and how it is formed, then the structure of the highest levels of Government, and their relationship will not be understood.

(2) In paragraph 2 of the Green Paper it is stated very clearly that it will also take fully into account the terms of the Sino-British Joint Declaration on the question of Hong Kong. In other words, the developments and review of representative government should be based on the provisions of the Joint Declaration, and they cannot go against the Basic Law of the Hong Kong Special Administrative Region.

According to Annex I of the Sino-British Joint Declaration, the Chief Executive of the Hong Kong SAR shall be selected by election or through consultation held locally. And the legislature shall be constituted by elections. These make it clear that after 1997 there will be an election system. As to how election will be conducted, it will be clarified by the Basic Law. It will be finalised in 1990, and everything will be clear by then. In the past 140 years, Hong Kong did not have a democratic political system. However, the system has made Hong Kong a world financial centre. Our people enjoy a stable life and they have absolute freedom. This shows that the existing administrative system is extremely advantageous to the social and economic developments of Hong Kong. I once asked whether it is really necessary for us to risk our existing stability and prosperity in order to win an unknown stability and prosperity, and put the future of Hong Kong at risk? I feel that political reform is different from a ball-game where you can lose and make a come back next time. Should we fail in our political reform, or suffer adverse consequences, the implications are serious. Hong Kong's existing economy may also be affected. Should Hong Kong lose its economic value and function, its political status will also be lost. I believe this is something Hong Kong people least wish to witness.

(3) Ever since the publication of the Green Paper the response has been less enthusiastic than expected. Many members of the public prefer to remain part of the silent majority. Does this mean that the people of Hong Kong are indifferent to the developments of our political system? Or is it because they are satisfied with the status quo and are quite complacent and do not wish to see too great a change in our community?

I remember at the early stages, when the 1997 issue first emerged, many people in Hong Kong urged that the status quo be maintained. Both the British Government and the Chinese Government were responsive to the wishes of the Hong Kong people. Negotiations went on and the Sino-British Joint Declaration was signed. It guaranteed that the social and economic systems in Hong Kong and the way of life in Hong Kong would remain unchanged. A survey was conducted by the Assessment Office on the Joint Declaration and it was found that it was widely accepted. These have been made facts. So, why is it that now we are trying so hard to change the status quo?

(4) The existing three-tier system of our political system is accepted by all sectors of our society. As stated in the Green Paper, it has encouraged public participation in the conduct of Government at all levels and has enabled the Government to receive advice from an increasingly wide range of people. In this three-tier system, the relationship between the Regional Council and the district boards is particularly close. I am a member of both bodies, and through the experience of my work in the past two years, I have found that the function of the two is extremely successful and efficient, producing very satisfactory results. I feel that there is no indication whatsoever that there should be any changes in the structure and functioning of the Regional Council and the district boards.

(5) In 1985, we started to have Members elected by the electoral college and functional constituencies to the Legislative Council. These Members come from different walks of life and from different fields. In the past two years they have contributed and perfected the functioning of the Legislative Council. These forms of election are very much suited to the political developments in Hong Kong and should be maintained and further developed. Besides, it is stipulated in the Joint Declaration that after 1997, the legislature will be constituted by election. Because of this, it is anticipated that appointed Members will be reduced gradually. Since appointed Members come from different professions, we should increase the seats for functional constituencies which are of a similar nature, so as to make up for the decrease in the number of appointed Members. This is a pragmatic approach and it is a balanced way of taking care of the interests of the different sectors in our society.

Mr. Richard LAI, Mr. TAI Chin-wah and Mr. Andrew WONG, urge that the New Territories Heung Yee Kuk should be made a functional constituency, and I fully support what these Members have said. I am sure we all understand that Hong Kong's present status has been attained through economic prosperity. We must, however, also admit that Hong Kong's economy is totally passive in that everything depends on confidence, and it is very unwise of us to take too great a risk. Therefore, be it 'one country two systems', 'the Joint Declaration', the 'Basic Law' or 'representative government'—all must aim at maintaining Hong Kong's economic prosperity.

I fully agree that the development of a political system has to tie-in with our social developments. However, changes must be gradual and be based on our existing structure and policies. It is stipulated in the Joint Declaration that everything in the future SAR will be based on the Basic Law. Even though direct elections might be a good democratic system, under the present circumstances it is not suitable for Hong Kong. Furthermore, in the past 140 years, Hong Kong did not have a history of democratic political structure. That has been accepted, so why can't we wait for the promulgation of the Basic Law before we make any further changes? I feel that, if during the transitional period the political developments of Hong Kong can be in line with the Basic Law it will be better and more appropriate, and it will minimise unnecessary disruption. In this way, Hong Kong society and economy will remain stable and prosperous and continue to develop. I believe this is the ultimate wish of everyone living in Hong Kong.

With these remarks, Sir, I support the motion.

CHIEF SECRETARY: Sir, I think we would all agree that we have had a stimulating, interesting and lively two days. But I will resist the temptation to analyse Members' speeches, either one by one, or even more will I resist Mr. WONG's invitation to analyse them paragraph by paragraph. Indeed, the difficulty of that task was amply demonstrated by the newspapers today when

they managed to put, in answer to their multiple-choice questions, the ticks in different boxes for different Members.

But on behalf of the Administration, Sir, I would like to thank Members for the considerable time and effort and the careful thought they have devoted to their speeches in this most important debate. The fact that all Members have spoken is a clear indication of the importance which they, and the community as a whole, place on the Green Paper. It is not surprising that divergent views have been expressed. I believe that the opinions aired over the past two days are a reflection of the differing views which still exist amongst the people of Hong Kong.

I hope that in the coming months we will be able to obtain a clearer picture of what the views of the community are. If consultation on the Green Paper is to reveal a true picture of the views of Hong Kong, it is important that a full range of opinions is expressed to the Survey Office. We are looking for all views, not only the views of those who may have made up their minds before the Green Paper was published.

Sir, so far, the Survey Office has received over 1 500 submissions, of which I am told the majority have come from individuals. The rate of the response so far, therefore, has been satisfactory. But I would like to remind the public that views may also be expressed orally to the staff at the offices of the City and New Territories Administration who will record them and forward them to the Survey Office. And I would also like to stress that the Survey Office has clear instructions to maintain the confidentiality of all submissions where this is so requested.

As I said when introducing the Green Paper into this Council, we realise that not all the issues contained in it are easy to understand and this may account for the reluctance of some people to express a view. With this in mind Radio Television Hong Kong has produced a 12-part series of five-minute television programmes entitled the 'Green Paper Made Easy'. This series is being shown at peak times on both stations and I hope people who want to learn more about the Green Paper will watch the programmes. They highlight and explain all the issues in the Green Paper in a way which everyone can understand, and we hope that this will encourage a wider cross-section of people to express their views on all, and I stress the word all, of the major issues in the Green Paper.

Sir, the options which are contained in the paper concern matters of great importance to our society. They include, as Members have pointed out, the role and composition of district boards, their relationship with municipal councils, the size and structure of the Urban Council, the composition and Presidency of the Legislative Council and the practical aspects of electoral arrangements. Views on each and every one of these issues will be welcomed and respected. When the Government comes to consider the drafting of the White Paper at the end of the year, a clear indication of what people think about all these aspects would be of great benefit in helping us to reach decisions which are in the overall interests of Hong Kong.

Sir, comments have been made in this debate seeking Government's view on the weight which will be given to public opinion in assessing the options contained in the Green Paper. From the day the paper was published our views have been consistent and clear and remain so today. At the end of the process of consultation, after the Survey Office has produced its report, and after the debate in this Council, the Government will make its decision on the outcome of the review and will put forward its proposals in a White Paper. In reaching its conclusions the Government will take full account of the views of the public. As we have also made clear other factors will be relevant. A number of Members have said in their speeches that one factor which will have to be taken into account is that it is the Basic Law which is in the process of being drafted which will provide the framework of constitutional development for the future Special Administrative Region.

As to the framework within which the review is being carried out, I would like to emphasise the words at paragraph 2 of the Green Paper which have also been mentioned by Members. 'The purpose of the 1987 review is to consider whether the system's representative government in Hong Kong should be further developed in 1988, and if so in what manner. It will be conducted within the framework of Hong Kong's existing constitutional arrangements. It will also take fully into account the terms of the Sino-British Joint Declaration on the question of Hong Kong which provides for Hong Kong to become a Special Administrative Region of the People's Republic of China on 1 July 1997'. Sir, it follows that all the options in the Green Paper are in our view consistent with that framework and are genuine options. May I now in passing deal with Miss TAM's bomb which was referred to by Mr. Andrew WONG, Mr. Martin LEE and Mr. SZETO Wah. Sir, with respect to Miss TAM, I can deal with it quickly. It was not so much a bomb as a hoax. The statement that deals with it is as follows and it is quite clear, Sir, that none of the options in the Green Paper would, if implemented, involve a breach of the United Kingdom's obligations under the International Covenant of Civil and Political Rights.

As for the Hong Kong Government's position, I would like to emphasise most strongly that we have no pre-conceived ideas and there is no predetermined outcome. I believe the duty of the Government is to weigh all the factors most carefully and do what is right for the people of Hong Kong with the best interests of all at heart.

Once the report of the Survey Office is published it will be debated in this Council and the Government will again listen carefully to all that is said by Members. In the meantime, I ask the people of Hong Kong to think carefully about what sort of developments concerning the district boards, the municipal councils and this Council they consider would be in the best interests of Hong Kong and to put forward their views.



Sir, we need to ensure that at the end of this process of consultation we conclude by deciding on a way forward which will ensure effective administration, inspire confidence in the future and help to maintain the stability which is so fundamental to the well-being of our people.

MISS DUNN: Sir, a commentator writing in an English language newspaper this morning remarks that few people in Hong Kong realise how seriously every Member of this Council takes his or her responsibility to this territory. He goes on to say that despite differing positions in the debate on this motion, the Legislative Council as a body has demonstrated that the only constituency that counts is the people of Hong Kong. I agree with him. I hope that the views expressed in this Council today and yesterday will contribute to the consultation exercise now taking place. Above all, I hope that we will have stimulated the people of Hong Kong to express their views on the options contained in the Green Paper.

Sir, I should like to end as I began yesterday by repeating something that I said in the debate on the 1984 White Paper: 'As we consider the political change envisaged in the Sino-British Joint Declaration and as we embark upon the further development of representative government in Hong Kong we should seek to ensure that this new phase in our history does not involve a sharp break with the past. That is to say, whatever may be the ultimate form and structure of the Government of Hong Kong, we must preserve the Hong Kong style and the Hong Kong system intact.'

*Question put and agreed to.*

### **Valedictory**

HIS EXCELLENCY THE PRESIDENT: Hon. Members, before I deliver my closing remarks I should like to take this opportunity to pay tribute to Mr. S. L. CHEN who announced his impending retirement yesterday.

Mr. CHEN first joined the Legislative Council nearly 11 years ago in September 1976. This was the year when this Council was broadened, as it has been ever since, to include representatives from all walks of life in Hong Kong. In Mr. CHEN's case he came to the Council with the experience of a career in the power industry and as a leading representative of that brand of technocrats who have been at the forefront of the development of Hong Kong.

Mr. CHEN's 11 years in the Council are matched among serving Members only by that of the Senior Member and one other Member of this Council. The Council is therefore losing a Member of immense experience who will be very hard to replace.

Amongst Mr. CHEN's many services Members will particularly recall his outstanding contribution to the Public Accounts Committee on which he served as chairman for five years and as a member for eight. We should also remember with gratitude his work in developing the police complaints system and, as Chairman of the Council of the City Polytechnic in developing post-secondary education.

Whatever the task Mr. CHEN has addressed it with the precision and thoroughness of an engineer and with the moderation, calmness and objectivity which have been his hallmark as a man.

I hope that perhaps Mr. CHEN will forgive me if I reveal today a secret which I am told has haunted him throughout his time in this Council, and that is that one day the lights might fail. To the best of my knowledge it's never happened. If some lustre will be missing from this Chamber with his departure the lights which are represented by the friendships which he and his wife have built up over the years will certainly continue to shine very brightly.

I am sure that Members will want to join me in wishing Mr. and Mrs. CHEN a long, happy and prosperous retirement. (*Applause*)

MISS DUNN: Sir, we are always sorry to see a Member leave this Council. We are all especially sad to mark today the retirement of an old and much loved friend. You have paid tribute, Sir, to Mr. CHEN's outstanding contributions to this Council and to other public bodies. My colleagues and I would like to associate ourselves with your remarks. Perhaps less known publicly is Mr. CHEN's work behind the scenes. The debate on the Green Paper reminds us particularly his thorough and dedicated work as convenor of our difficult Constitutional Affairs Panel. Their report and the full and thoughtful and well researched speeches we have heard today and yesterday owe much to that panel's determination under Mr. CHEN's leadership to hear and examine every point of view with a receptive and sympathetic mind.

On a personal note S. L. and I joined this Council on the same day. And we have for 11 long sessions been the happiest and closest of neighbours. Like many past and present colleagues I have come to rely on him for his wise and reliable advice and for his never-failing cheerfulness and good humour. Nor should I forget that when last summer the Daya Bay debate threatened to get over-heated, and when I had long before vanished to cooler climes, S. L. remained behind in my place, and with tact and understanding prevented a meltdown.

Sir, we shall miss Mr. CHEN for his warmth and sense of humour and for his modesty and courtesy. These qualities will be as hard to replace as his wisdom and experience. We wish him and his wife, Doris, health and happiness in their well earned retirement. Our affection goes with them. (*Applause*)

**End of session**

HIS EXCELLENCY THE PRESIDENT: Thank you, Miss DUNN.

I have one more thing to say before we close. Hon. Members, with the conclusion of this debate the business of the session comes to a close.

It has been a momentous session, not least because of the untimely death last December of the late Governor and President of this Council, Sir Edward YOUDE. I should like to take this opportunity to pay tribute to him in his role as President of the Council. The development and evolution of the Council was a cause to which he devoted much effort. He would, I am sure, be pleased that the Council in its new form is already settling down so well and working so effectively.

The working style of this Council is now marked by the development of debate. We have had a record number of adjournment debates. It is through this process of debate, combined with question time, that the Council performs one of its most important functions, that of questioning the Administration on its policies, putting forward suggestions for improvement and subjecting legislative proposals to critical examination. The Administration is grateful to Members for their thoughtful and constructive contributions. These have done much to improve the policies and Bills that the Council has considered.

There has been much public comment on some of the differing views which have been aired in the Council during this session. I do not see debate with differing views as an unhealthy sign. If there are significant differences of opinion within this community it is right that Members should reflect them in debate. It is right that the differing points of view should be subjected to critical analysis in this Council and that, having done so the Council should, if necessary, vote on the policy to be adopted. It is only in this way that sensible policies which meet the needs and aspirations of the community can be devised. I am encouraged by the civilised and courteous way in which Members have discussed their different points of view. Some legislatures in other parts of the world might well look on the example with a good deal of envy.

The events of this session have also demonstrated that, whatever their differences about means, Members are at one about the desired end: that is serving the interests of the people of Hong Kong and promoting the stability and prosperity of the territory.

It would be a pity if the more public excitements of this session were to divert attention from the many hundreds of hours that Members have spent in the committees of this Council, in the Legislative Council's ad hoc groups and in OMELCO's panels scrutinising the activities and proposals put forward by the Government. Such work is rarely glamorous. It is serious and demanding. I am very grateful to Members for devoting so much of their time and energy to it. Nor would I wish to overlook the contribution of Official Members, and

of officials who attend the various committees of this Council. As the work of the Council increases, so does the burden on both these groups. They have shouldered it cheerfully and efficiently.

Finally, I am sure that Members would wish to join me in paying warm tribute to all those who have worked with quiet and efficient diligence behind the scenes to sustain the work of the Council. In particular, the Clerk to the Legislative Council and his staff, the Secretary General of OMELCO and his staff, and the officers of the Chinese Language Division. This session, in which the Council has now sat for a record almost 126 hours has given them a great deal of work. They have carried it out with dedication and skill.

In conclusion, I wish Members and staff an enjoyable, refreshing and thoroughly well deserved recess.

The first sitting of the 1987-88 Session will be on Wednesday, 7 October at 2.30 pm.

*Adjourned accordingly at twenty-three minutes past Eight o'clock.*

(Note: The short title of the motion/bills listed in the Hansard Report have been translated into Chinese for information and guidance only. They do not have authoritative effect in Chinese.)